

CITY OF NEWPORT BEACH

PLANNING COMMISSION STAFF REPORT

March 7, 2013 Meeting
Agenda Item No. 2

SUBJECT: **General Plan Annual Status Report including Housing Element Report (PA2007-195)**

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RECOMMENDATION

- 1) Review and comment and;
- 2) Forward to City Council for review and authorize submittal to the Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD).

DISCUSSION

Government Code Section 65400 mandates that the City prepare an annual report on the status of the General Plan and progress in its implementation. The attached report includes the requirements pursuant to Government Code Section 65400(B) and Government Code Sections 65583 and 65584, relating to the implementation of the Housing Element of the General Plan. The report will be submitted to the City Council and a copy is required to be sent to the Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

The General Plan Annual Status Report (Attachment No. PC 2) follows preparation guidelines set forth by OPR and provides the status of the General Plan and progress on implementation during the 2012 calendar year. The listed Implementation Programs are from the General Plan (Attachment No. PC1).

The report also includes the Housing Element Report mandated by Government Code Sections 65583 and 65584. It demonstrates the City's progress in meeting its share of regional housing needs and Housing Element programs. Lastly, the Housing Element Report follows the guidelines provided by HCD as recommended by Government Code Section 65400(B). The Housing Element section includes the following information:

- A. Annual building activity reports for new housing units;
- B. Regional housing needs allocation progress; and
- C. Program implementation status including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing.

Environmental Review

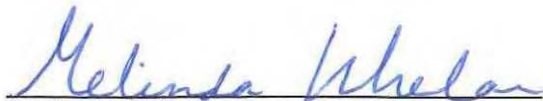
The General Plan Status Report, including the Housing Element Report, is not subject to CEQA, as the actions are not a project as defined in Section 15378(b) (2) of the Public Resources Code.

Noticing


The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the Planning Commission considers the item).

Prepared by:

Submitted by:



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Brenda Wisneski, AICP, Deputy Director

ATTACHMENTS

PC 1 General Plan Implementation Program

PC2 General Plan Annual Status Report (Including Housing Element Report)

Attachment No. PC 1

General Plan Implementation Program

1. GENERAL PLAN

Overview

The City of Newport Beach General Plan was prepared and adopted in accordance with the procedural and substantive requirements of California Government Code §65300 et seq. It serves as the statement of official policy for Newport Beach's long term physical development and addresses all elements statutorily required by the Code including Land Use, Housing, Circulation, Conservation, Open Space, Public Safety, and Noise. To avoid redundancy, the subjects of the Conservation and Open Space Element have been merged into the Natural Resources Element. Parks and Recreation, under statute a component of the Open Space Element, has been prepared as a separate element to reflect its importance. As a municipality is permitted to incorporate other elements that pertain to its

PROGRAM

unique characteristics or visions, the Newport Beach General Plan also includes Harbor and Bay, Arts and Cultural, and Historic Resources Elements. Though optional by statute, once adopted they hold equal weight under the law as the mandated elements.

Goals and policies of the General Plan are applicable to all lands within the jurisdiction of the City of Newport Beach. Consistent with state statutes (§65300), the General Plan also specifies policies for the adopted Sphere of Influence (SOI), encompassing Banning Ranch, which represent the City's long-term intentions for conservation and development of the property should it be annexed to Newport Beach. Until that time, uses and improvements of the property are subject to the County of Orange General Plan.

Programs

Imp 1.1 Ensure that Private Development and Capital Improvements are Consistent with the General

California statutes require that a city's decisions regarding its physical development must be consistent with the adopted General Plan. As entitlements for the development of private properties are guided by the City's ordinances and Charter requirements, implicitly they must be consistent with the General Plan. As a consequence, it is necessary for Newport Beach to review all subdivision and development applications and make written findings that they are consistent with all goals and policies of the General Plan (see Imp 12.1 and Imp 13.1). If the project is found to be inconsistent, it cannot be approved without revisions of the General Plan and, as necessary, it's implementing ordinances.

When the City or any external agency responsible for the planning or implementation of public works within the City prepares its annual list of proposed public works and its five-year Capital Improvement Program (CIP), these must be submitted to the Planning Commission for review for conformity with the adopted General Plan (Government Code §65401). Additionally, when the City acquires property for public purposes, such as streets and parks, the Planning Commission is required to review this action and report on its consistency with the General Plan (§65402).

Imp 1.2 Update and Revise the General Plan to Reflect Changing Conditions and Visions

While there are no specific deadlines for updates and revisions of the General Plan, state guidelines urge that it be maintained to reflect current conditions, issues, and visions. The State Office of Planning and Research (OPR) is required to notify a city when its general plan has not been revised within eight years. If the plan has not been revised within ten years, OPR must also notify the Attorney General, who will notify the City of the legal risks for failure to maintain a legally adequate plan. An exception is the Housing Element, which is required to be revised at least every five years (Code §65588) and certified by the State Department of Housing and Community Development (HCD). Historically, this deadline has been extended on a number of occasions due to delays in the preparation of the regional housing allocation by the responsible regional agency, the Southern California Association of Governments (SCAG).

While comprehensive revisions occur infrequently in recognition of the long-term role of the General Plan, it is important to monitor its relevance and applicability to local needs and issues as they evolve over time. At least once every five years the City should review the economic markets for commercial, industrial, and housing development; identify trends that impact or provide opportunities for the City; assess the Plan's land use diagram, policies, and standards for their effectiveness in addressing these; evaluate traffic conditions and their correlation with land use development; and amend these where desired and necessary. All amendments must be analyzed pursuant to Charter Section 423 to determine if they must be submitted to the electorate.

As many of the General Plan's implementation programs, particularly the Public Infrastructure and Services Plans and Public Service Programs, are dependent on available funding and evolve over time to reflect changing community needs, they should be reviewed and updated at least once each three years to assure their continuing relevancy. This is a technical revision that would not necessitate a formal amendment of the General Plan, provided that they do not alter its policies, and would best be accomplished as an integral component of the Annual General Plan Progress Report (see Imp 1.3).

Revisions and updates of the General Plan should be made in accordance with the General Plan's Vision Statement, or as modified by future public input. Fundamentally, this should sustain the City's intentions to be a residential community, balanced with supporting retail uses, job opportunities, and visitor and recreational services and amenities. Amendments to accommodate the City's "fair-share" of regional housing demand will be considered in context of these visions and the goals stipulated by this Plan. Increments of additional growth will be linked to the provision of adequate supporting transportation systems, infrastructure, and public services.

Imp 1.3 Prepare Annual General Plan Progress and Housing Element Implementation Reports

The California Government Code §65400(b)(1) requires all cities and counties to submit an annual General Plan Progress Report to their “legislative bodies,” the State Office of Planning and Research (OPR), and the State Department of Housing and Community Development (HCD). The purpose of the report is to provide information on the status of the General Plan and the progress made in implementing its programs and goals including the adequacy of transportation, utility infrastructure, and public services to support entitled projects. Additionally, the Report must specify the degree to which the approved general plan complies with the General Plan Guidelines published by the Governors Office of Planning and Research (OPR) and the date of its last revision.

As required by State Housing Element Law, the City is also required to monitor all housing programs and complete a detailed annual Housing Element Implementation Report that documents the City’s progress in fulfilling its share of the Regional Housing Needs Assessment; the status of the implementation of each of the housing programs of the City’s Housing Plan; and reviews actions and programs adopted to remove or mitigate governmental constraints on the development of housing for all income levels.

2. ZONING CODE

Overview

The City of Newport Beach Zoning Code, Title 20 of the Municipal Code, is one of the primary means of implementing the General Plan. Unlike the long-term perspective of the General Plan, the Zoning Code anticipates the immediate uses of the land. Areas within the SOI are governed by the County of Orange Zoning Code, until annexation to the City, when they would be subject to the City’s Code.

While state statutes do not require consistency between the General Plan and Zoning Code for charter cities, such as Newport Beach, most court decisions in the state pertaining to the regulation of land use development in such communities have set the General Plan as the standard by which development entitlements that have been legally challenged have been measured. This is based on the premise that effective implementation of a general plan necessitates mutually reinforcing actions, such as a consistent zoning code. Newport Beach’s practice has been to maintain consistency between its General Plan and Zoning Code.

Programs

Imp 2.1 Amend the Zoning Code for Consistency with the General Plan

Adoption of the updated General Plan necessitates a thorough review of the Zoning Code’s regulations for consistency with the General Plan’s Land Use Plan and policies. This shall include review of Code requirements pertaining to areas designated as “Specific Plans” (see “Specific Plans” below) and amendments to Planned Community (PC) Development Plans.

In accordance with state statutes, the Zoning Code shall be amended “within a reasonable time” of the adoption of the updated General Plan. While a specific time frame is not specified, it is common practice for communities to revise their zoning within a 12- to 18-month time period.

In summary, map and text amendments may be necessary to accomplish the following:

- a. Review and revise land use classifications to reflect the General Plan’s policies for permitted uses, densities/intensities, and development standards. These need to reflect the new types of land use categories, including those that provide for the vertical and horizontal mixing of housing with commercial, office, visitor-serving and other non-residential land uses.
- b. Add standards to implement policies addressing community character and design and development for each land use category and as defined for sub-areas.
- c. Review and amend, where necessary, Code requirements and standards pertaining to the location and design of development to protect terrestrial and marine environmental resources; protect development and populations for the risks of environmental hazards such as earthquakes, tsunamis, methane gas, and excessive noise; and maintain the integrity and quality of Newport Harbor and the Upper Bay.
- d. Review and amend the Code, as necessary, to achieve specific objectives of the General Plan such as lot consolidation to improve the economic viability of commercial uses, retention of marine-related businesses, development of affordable housing, and implementation of more environmentally sustainable buildings and site planning. These may be accomplished through development requirements and/or incentives.
- e. Review and amend the Code, as necessary, to assure that developer requirements for the dedication of lands for roadway improvements, parklands, and other elements defined by General Plan policies are fulfilled, including specifications and procedures for which in-lieu fees may be contributed.

3. SPECIFIC PLANS

Overview

Specific plans are tools for the systematic implementation of the General Plan and intended to implement and regulate land use and development within a specific project boundary, subject to the substantive and procedural requirements of §65450 through §65450 of the California Government Code. Specific plans are regulatory documents adopted by ordinance and, to date, have been incorporated into Newport Beach’s Zoning Code. Therefore, all development standards contained therein are enforceable by law.

Specific plans that have been adopted by the City of Newport Beach, generally, are more limited in their scope and application than authorized by the California Government Code. Principally, they are more specific than underlying the parallel zoning requirements in their definition of development standards and design guidelines to reflect the unique characteristics of their planning area. Some prescribe programs for visual enhancement and streetscape improvements. Adopted specific plans at the time of the approval of the updated General Plan include Newport Shores, Mariner’s Mile, Cannery Village/McFadden Square, Santa Ana Heights, Central Balboa, and Old Newport Boulevard.

A “placeholder” is included in the Code for the anticipated future preparation of a specific plan for Corona del Mar. However, the updated General Plan does not specify a specific implementation structure or regulating document for Corona del Mar or most other areas.

As a component of the revision of the Newport Beach Zoning Code for consistency with the General Plan (Imp 2.1, above), development regulations for designated Specific Plan areas of the City shall be reviewed and amended as necessary.

Programs

Imp 3.1 Preparation of New Specific Plans

As specific plans are considered by the state OPR to be especially useful for large projects and sites with environment constraints, there are several potential applications in the City of Newport Beach. These may be prepared by either the City or private sector. However, responsibility for their adoption lies with the City Council.

- a. Should Banning Ranch not be acquired as open space, guidelines and standards for the integration of development with the preservation of critical habitat, bluffs, and other natural open spaces are essential. General Plan policies for the intermixing of a variety of housing types with local retail services, a hotel, and park in a walkable and sustainable environment can best be accomplished through detailed development standards and design guidelines that are not currently contained in the City’s ordinances. A specific plan, as conceived by state statute, would also encompass detailed infrastructure, financing, and phasing plans. A specific plan would also be helpful in assuring that the quality of development and scope of resource protection desired for this property would be achieved
- b. Specific plans may also be considered to satisfy the regulatory planning requirements for the residential villages proposed for the Airport Area and the integration of the mix of medical-related, housing, commercial, and industrial uses in West Newport Mesa. In these cases, the specific plans would serve as important tools to guide the development of multiple properties into a cohesive district. It would establish standards for a suitable interface among the diverse permitted land uses, a high level of architectural design and site landscape, and the incorporation of parklands, unifying streetscapes, and other amenities.

4. DEVELOPMENT PLANS/PLANNED COMMUNITIES

Overview

The City of Newport Beach provides for a “Planned Community” (PC) designation for the development of large properties, usually under one ownership, with the objective of producing a well-defined and cohesive district that integrates one or more type of housing unit and supporting uses that meets standards of density, open space, light and air, pedestrian and vehicular access, and traffic circulation similar to comparable residential and commercial districts in the City, as well as reflects the unique environmental setting of the property. These define specific development standards that are customized to reflect the unique attributes of the property and its surroundings.

Programs

Imp 4.1 New “Planned Community” Development Plans

In lieu of the preparation of specific plans, as discussed above, the City may elect to have “Planned Community” plans prepared for large scale development projects permitted by the General Plan. Principally, these would apply to Banning Ranch, and residential villages in the Airport Area. For the latter, these would serve as the “regulatory plan” required for each village. This would expand the traditional use of the City’s PC designations to incorporate detailed design guidelines, infrastructure plans, phasing, and financing mechanisms.

5. LOCAL COASTAL PROGRAM

Overview

Implementation of *California Coastal Act* policies is accomplished primarily through a Local Coastal Program (LCP) that contains a Coastal Land Use Plan (CLUP) and Implementation Plan (IP). The CLUP sets forth goals, objectives, and policies that govern the use of land and water in the coastal zone within the City of Newport Beach, with the exception of Newport Coast and Banning Ranch. Newport Coast is governed by the previously certified and currently effective Newport Coast segment of the Orange County Local Coastal Program. Banning Ranch is a Deferred Certification Area (DCA) due to unresolved issues related to land use, public access, and the protection of coastal resources. The IP consists of the zoning ordinances, zoning district maps, and other legal instruments necessary to implement the land use plan.

Programs

Imp 5.1 Review and Revise Coastal Land Use Plan for Consistency with the General Plan

The General Plan’s updated goals and policies were written in consideration of the CLUP approved by the California Coastal Commission on February 8, 2006. Many of its policies were directly incorporated in the Land Use, Harbor and Bay, Natural Resources, Recreation, and Safety Elements. However, there are a number of policies in the updated General Plan that may deviate from those in the approved CLUP. Among these are policies for the inclusion of housing and mixed-use developments in portions of the coastal zone and the revised land use classification and density/intensity system. It will be necessary to review and amend the CLUP for consistency and submit these to the Coastal Commission for certification.

6. SUBDIVISION ORDINANCE

Overview

The City of Newport Beach Subdivision Ordinance, Title 19 of the Municipal Code, regulates and controls the division of land within the City in accordance with the *Subdivision Map Act* and Government Code §66411. The Subdivision Ordinance regulates the design and improvement of

subdivisions, requires dedications of public improvements, establishes development impact fees and mitigation programs, and requires conformity with the provisions of the City's General Plan. This includes the review and approval of lot size and configuration, street alignments, street grades and widths, traffic access, drainage and sanitary facilities, lands dedicated for public uses (e.g., schools and parks) and open spaces, and other measures as may be necessary to insure consistency with or implementation of the General Plan.

Programs

Imp 6.1 Review the Subdivision Ordinance for Consistency with the General Plan

On adoption of the updated General Plan, the Subdivision Ordinance shall be reviewed and amended where necessary to ensure consistency with its goals and policies. This may encompass revisions related to the Plan's policies pertaining to the intermixing of uses; site planning and design; landscape improvements; roadway and street standards and improvements; storm drainage and pollution runoff control; conformance to natural topography and landscapes; terrestrial and marine habitat protection; landform and coastal sand protection; flooding, fire, geologic, seismic, and other hazard abatement; environmental impact mitigation, and infrastructure and public service concurrency.

Additionally, the City should examine and modify the Ordinance to reflect state-of-the-art land development practices that enhance environmental sustainability, such as the draft "LEED for Neighborhood Developments (LEED-ND) Rating System." These standards would largely be applicable to large scale development projects, such as the Banning Ranch.

7. BUILDING AND CONSTRUCTION CODE

Overview

Building construction in the City is regulated by Title 15 of the Newport Beach Municipal Code, "Buildings and Construction." This encompasses the 1994 Uniform Code for Building Conservation; 1997 Uniform Administrative Code; Uniform Housing Code; California Swimming Pool, Spa, and Hot Tub Code; the 2001 California Building Code; California, Mechanical Code, and California Plumbing Code; the 2004 California Electrical Code; Newport Beach Excavation and Grading Code; Newport Beach Flood Damage Protection; and the Newport Beach Construction Site Fencing and Screening. Additionally, Title 15 includes regulations for Earthquake Hazard Reduction in Existing Buildings, Sign Code, House Moving, Abatement of Substandard Buildings, Undergrounding of Utilities, Fair Share Traffic Contribution, Traffic Phasing, Major Thoroughfare and Bridge Fee Program, Development Agreements, Flood Damage Protection, Methane Gas Mitigation, Wireless Telecommunications Facilities, and Santa Heights Redevelopment. The City applies the most recently updated codes by state, federal, and professional organizations. The Fair Share Traffic Contribution ordinance and accompanying resolution determine the total unfunded cost of completing the City's Circulation Element and allocate this cost to future development based on traffic generation rates.

Programs

Imp 7.1 Review Building and Construction Code for Consistency with General Plan

General Plan policies largely mimic the provisions of the City's Building and Construction Code (Title 15), particularly those addressing public safety. As the General Plan specifies many new policies pertaining to the design and development character of many land use districts, the Code should be reviewed to assure that these are fully addressed. In addition, as the General Plan provides for the development of high-rise multi-family residential, the Code should also be reviewed for its adequacy in consideration of the policies for such building types in the Airport Area.

The City should also consider revisions of Title 15 to foster the use of “green-building” techniques that have not been traditionally used in the City, as well as other appropriate revisions to achieve the Plan's policy objectives.

Imp 7.2 Revise Fair Share Traffic Contribution Ordinance

The updated Circulation Element will require revisions of the City's Fair Share Traffic Contribution Ordinance, Chapter 15.38, for consistency, with periodic updates as necessary for funding consideration changes (including the implications of regional improvements such as those contained in the Orange County Master Plan of Arterial Highways and the traffic contribution of adjacent cities such as Irvine, Huntington Beach, Costa Mesa, and Laguna Beach). This ordinance and accompanying resolution determine the total unfunded cost of completing the City's Circulation Element and allocate this cost to future development based on traffic generation rates.

Imp 7.3 Review and Update Transportation Demand Ordinance

The Transportation Demand Management (TDM) Ordinance should be periodically reviewed and updated to address the needs of new development types and land use mixes, especially as mixed use development is implemented in areas such as Newport Center and the Airport Area.

8. OTHER CODES AND ORDINANCES

Overview

General Plan policies are also implemented through a diversity of other codes and ordinances of the City of Newport Beach. Relevant sections of the Municipal Code may include, but are not limited to, the following:

- Title 6, Health and Sanitation
- Title 9, Fire Code
- Title 10, Offenses and Nuisances
- Title 11, Recreational Activities
- Title 12, Vehicles and Traffic
- Title 13, Streets, Sidewalks, and Public Properties
- Title 17, Anchorage and Mooring Regulations

Programs

Imp 8.1 Review Codes and Ordinances for Consistency with the General Plan and Update Periodically

On adoption of the General Plan, relevant codes and ordinances of the City shall be reviewed for their consistency and revisions prepared where necessary. These shall be updated periodically to reflect state-of-the-art practices and technologies. Representative of the issues addressed by General Plan policy that should be reviewed are the following:

- a. Requirements for live-aboard vessels pertaining to the integrity, quality, and safety of Harbor uses, environmental protection, and impacts on the public, waterfront owners/lessees, and adjoining properties
- b. Regulation and transfer of mooring permit applications and titles
- c. Standards for the design and siting of bulkheads, pier, and similar structures to address their potential visual impacts
- d. Standards and policies specified by the Noise Element to protect sensitive noise receptors, residents and businesses from unwanted noise impacts from traffic, JWA operations, construction activities, truck deliveries, special events, charter and entertainment boats, and similar sources

Imp 8.2 Prepare New Codes, Ordinances, and Guidelines

The updated General Plan shall be reviewed and evaluated for the need to adopt new codes and ordinances that implement its policies and standards. Among those that may be considered for their appropriateness are the following:

- a. A “commercial-residential” interface ordinance that regulates use, activity, and design of commercial properties located on shallow parcels directly abutting residential neighborhoods
- b. Design guidelines for the renovation or reconstruction of housing in existing neighborhoods to assure that they complement the character of existing development; these may be applied to specific neighborhoods or citywide
- c. An ordinance or guidelines for the preservation of historic buildings and/or properties; this shall be developed in consideration of guidelines published by the State Historic Preservation Office
- d. An ordinance managing parking in commercial and mixed-use corridors and districts characterized by deficient parking; this may provide for the establishment of parking districts in which new parking may be developed in public or private shared facilities or structures or other facilities, as well as procedures for the funding of these improvements

9. CITY COUNCIL POLICY MANUAL

Overview

Many regulatory policies established by the City Council are adopted by ordinance and included in the Municipal Code. However, other policies also are established which by their nature do not require adoption by ordinance. These policy statements adopted by resolution of the City Council are

consolidated within the Newport Beach City Council Policy Manual. This Manual contains numerous policies that establish rules and guidelines for City administration, planning, public works and utilities, environmental protection, city services, and coastal activities. These policies help to guide residents and city staff in the direction that Council will take on certain matters. City Council Policies are set at Council Meetings and are reviewed annually.

Programs

Imp 9.1 Review City Council Policy Manual for Consistency with the General Plan

The City Council Policy Manual shall be reviewed to assure that its policies are consistent with the updated General Plan.

10. DATABASE MANAGEMENT AND DEVELOPMENT TRACKING AND MONITORING

Overview

Among the responsibilities of the City's Management Information Systems (MIS) Division is the maintenance of a centralized database development and support system. This is supplemented by the development and maintenance of data by individual City departments. This includes the Geographic Information System (GIS) that allows data to be connected to all parcels in the City, facilitating analysis and display of information geographically.

Tracking new development as it is approved will enable the City, property owners, and the public to easily and quickly know how much development potential remains for a property or an area. Incorporation of the data base in GIS format on the city's web page would facilitate public access and review. In addition, adoption and voter approval of the updated General Plan will modify the development capacities in the City, and these will be used as the basis for the review of project applications and determination of the need for voter approval pursuant to Charter Section 423.

Programs

Imp 10.1 Maintain Up-to-Date Comprehensive Database

Data that is likely to change over a comparatively short time period, such as built land use and traffic should be updated on a continuing basis, while data that is stable, such as seismic hazard zones, can be updated on a less frequent basis. In its annual budgeting process, priority should be placed on expenditures for the compilation of data that informs the City's development decisions, public works improvements, services, and programs.

Imp 10.2 Maintain Development Tracking and Monitoring Program

As new development is approved and implemented, the number of dwelling units and building area of non-residential development should be tracked to enable the City to inform property owners, developers, and decision-makers regarding the amount of remaining development capacity for

pertinent Statistical Areas and individual parcels. This will facilitate the City’s compliance with the development thresholds and limits required by Charter Section 423.

11. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Overview

Chapter 20.90.050 of the Newport Beach Municipal Code requires that a project that is not exempt from the *California Environmental Quality Act* (CEQA) shall be reviewed and either a Negative Declaration or an Environmental Impact Report (EIR) shall be prepared. The City’s Implementation Procedures for CEQA are presented in the City Council Policy Manual, Policy “K.3.” These specify the activities that are subject to, not subject to, and exempt from CEQA; content and procedures for Initial Studies, Negative Declarations, and Environmental Impact Reports; processes for consultant assistance in the preparation of environmental studies and documents; fees for CEQA processing; and authorities of the Planning Director.

In conformance with CEQA requirements, a “Program” EIR was prepared and certified for the updated City of Newport Beach General Plan. Some of the provisions that might have been defined as mitigation measures have been incorporated as policies of the General Plan, so that the requirements are specified in one document.

The Program EIR is written to the level of specificity of the General Plan’s Land Use Plan’s goals, policies, and programs. It may serve as a reference in the preparation of CEQA-required environmental documents for implementation of the General Plan, subsequent Specific Plans, Precise Plans, capital improvements, and other actions that are consistent with the General Plan.

Programs

Imp 11.1 CEQA Review Development and Entitlement Applications

Applications for entitlement and development in the City of Newport Beach shall be subject to review in accordance with the City Council Policy Manual Implementation Measures for CEQA. Environmental analyses shall include assessment of the project’s consistency with General Plan policies pertaining to each environmental topic under discussion. To the extent permitted by state law and court decisions, the General Plan Program EIR can be used as citywide framework from which project EIRs can be tiered. The Program EIR shall not be used for any project that is more intense than, or inconsistent, with the General Plan.

12. FISCAL IMPACT ANALYSIS

Overview

A Fiscal Impact Model has been developed that documents the balance of costs of public services and revenues to be derived resulting from the mix of land uses permitted by the General Plan. These are assigned to each category of land use, single family residential, multi-family residential, retail

commercial, and office development, for example. As the analyses conclude, the mix of uses is highly inter-related and the fiscal benefits of individual land uses cannot be considered independently.

Programs

Imp 12.1 Evaluate Fiscal Benefits of Development Proposals and Annexations

Significant development projects and General Plan Amendments shall be evaluated for their net fiscal impacts on the City of Newport Beach. This will use the Fiscal Impact Model developed for the General Plan and identify all costs for public services and revenues to be derived. The City shall decide the type, scale, and mix of uses that shall be subject to fiscal review.

Imp 12.2 Maintain and Update Fiscal Impact Model

To ensure that the Fiscal Impact Model continues to be a useful tool for evaluating development proposals, annexations, and related actions, the City should maintain and regularly update the base information in the model.

13. DEVELOPMENT AGREEMENTS

Overview

In accordance with Chapter 15.45 of the Newport Beach Municipal Code, development agreements may be prepared as contractual agreements between the City and developers to provide assurances to each party regarding the uses to be entitled, rules of development, and public benefits of the development project. The Code stipulates that a development agreement specify the duration of the agreement, permitted uses of the property, density or intensity of use, maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes, if required. The agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions and may specify the timing and phasing of construction.

The uses and development standards specified by a development agreement must be consistent with the General Plan and/or, where appropriate, Specific Plan and Local Coastal Program.

Programs

Imp 13.1 Process Development Agreements

For new master planned residential communities and large scale commercial and mixed-use projects, the City and project developers may elect to enter into a development agreement. Such a tool may be useful in guiding development that may be permitted on Banning Ranch if not acquired as open space, development of residential villages within the Airport Area, and the integration of multiple uses in West Newport Mesa. Development Agreements shall be required for housing developed as additive infill on surface parking lots in the Airport Area and the additional entitlement of 450 housing units in Newport Center and shall specify the public benefits to be contributed by the developer in exchange for the City's commitment for the number, density, and location of the housing units.

Governance

The Governance portion of the General Plan Implementation Program describes the institutional processes through which key policy decisions related to land use development, capital improvements, and resource conservation will be made and carried out.

14. INTERAGENCY COORDINATION

Overview

Implementation of the General Plan's goals and policies requires the cooperation and coordination of the City with a diversity of local, state, and federal agencies and private and semi-private institutions. The following summarizes many of the interagency coordination procedures directly related to the General Plan's policies that are currently being carried out or anticipated in the short-term. These will be supplemented by other ongoing programs and new strategies that will be defined during the life span of the General Plan's implementation.

Programs

Imp 14.1 Adjoining Cities

The City of Newport Beach has established "borders committees" to collaborate with the cities of Irvine, Huntington Beach, and Costa Mesa to address planning, development, transportation, and other issues that jointly impact the communities. Newport Beach will also work with surrounding jurisdictions and agencies to coordinate and test emergency preparedness and response plans.

Imp 14.2 Coordinate with School Districts

The City of Newport Beach and the school districts serving the City, including the Newport-Mesa Unified School District, Santa Ana Unified School District, and Laguna Unified School District, shall work together on the identification and acquisition of potential school sites and expansion of existing facilities; monitoring and management of traffic conditions at school locations; CEQA-required documentation for residential projects; and joint-use agreements for public recreational uses of school properties.

Imp 14.3 Coordinate with Orange County

The City of Newport Beach and Orange County should continue to collaborate in numerous programs affecting land use and development, affordable housing, transportation, infrastructure, resource conservation, environmental quality, management of Newport Harbor and Upper Newport Bay; and John Wayne Airport operations and improvement plans.

Imp 14.4 Coordinate with Orange County Transportation Authority (OCTA)

The Orange County Transportation Authority (OCTA) is a multi-modal transportation agency serving Orange County. It is responsible for countywide bus and paratransit service, Metrolink commuter rail

service, the 91 Express Lanes toll facility, freeway, street and road improvement projects, motorist aid services, and regulation of taxi operations. Through the adopted Measure M, a voter-approved half-cent sales tax for transportation improvements, OCTA allocates funding for specific transportation improvement projects in three major areas—freeways, streets, roads and transit. OCTA also secures funding for regional and local agencies from state and federal agencies. The City of Newport Beach will implement General Plan policies by doing the following:

- Working with OCTA to support the implementation of needed regional Master Plan improvements that will benefit mobility within the City
- Soliciting funding from OCTA for local transportation, transit, parking, bikeway, and other related improvements as such revenues are available in the future
- Periodically reviewing the adequacy of transit service in Newport Beach and coordinating with OCTA to provide transit support facilities including park-and-ride lots, bus stops, shelters, and related facilities
- Coordinating with OCTA to establish or modify bus stop locations to provide adequate access to local residents and to destinations for external uses, as well as efficient and safe traffic operations
- Requesting the OCTA to assess the need for the expansion of fixed-route service and efficient transportation to future transportation facilities
- Coordinating with OCTA to provide expanded summertime bus and/or shuttle service to reduce visitor traffic
- Coordinating with OCTA to provide programs to issue monthly bus passes locally and provide special programs for subsidizing passes for the disadvantaged

Imp 14.5 State of California Department of Housing and Community Development

The California Department of Housing and Community Development (HCD) is responsible for the certification of Newport Beach's Housing Element (see Development Management System above). Each five years, the City shall update the Element based on input received from the HCD and regional agency (Southern California Association of Governments) regarding the City's "fair share" of regional housing demand. The focus of the update will be on the provision of adequate sites and programs for affordable housing.

Imp 14.6 Coordinate with California Coastal Commission

The California Coastal Commission is responsible for the implementation of the *California Coastal Act of 1976*. As described above (Development Management System), the City's Local Coastal Program's (LCP) Land Use Plan (CLUP) had been certified at the time of the adoption of the updated General Plan. The City shall work with the Coastal Commission to amend the CLUP to be consistent with the General Plan and pursue certification of the Implementation Plan. The City shall ensure that on certification, applications for development shall be reviewed by the City for consistency with the certified LCP and *California Coastal Act of 1976*.

Imp 14.7 Coordinate with the California Resources Agency, Department of Fish and Game

The California Resources Agency Department of Fish and Game is responsible for the maintenance of native fish, wildlife, plant species, and natural communities for their intrinsic and ecological value. This includes habitat protection and maintenance in a sufficient amount and quality to ensure the survival of all species and natural communities. The Department is also responsible for the issuance of permits for lake and streambed alterations, incidental takes of state-listed species, in accordance with the *California Endangered Species Act*, and near-shore fishery activity.

Implementation of the General Plan's policies for natural resource protection shall be achieved through the City's consultation with the DFG in the review of projects that may impact terrestrial and marine resources and identification of resource protection and impact mitigation measures, including support for the DFG's efforts for habitat acquisition and restoration on Banning Ranch. The City shall cooperate with the DFG and other agencies in implementing the eel grass restoration of Newport Bay and programs for the protection and management of upper Newport Bay, including the Newport Beach Marine Refuge, Irvine Coast Marine Life Conservation Areas, and Upper Newport Bay State Marine Park.

Imp 14.8 Coordinate with the California Department of Parks and Recreation

The California Department of Parks and Recreation is responsible for the management of state parks and beaches under its jurisdiction. In Newport Beach, this includes Corona del Mar State Beach and Crystal Cove State Park. Cooperate in maintaining and expanding, where appropriate, recreational opportunities along the coast and marine recreation related facilities.

Imp 14.9 Coordinate with the California Department of Transportation

The California Department of Transportation (Caltrans) is responsible for the planning, construction, and maintenance of state highways and freeways, including SR 73 and Newport Boulevard (SR 55) between Finley Avenue and the City boundary. Coast Highway in Newport Beach, excluding the portion from Newport Coast Drive to Jamboree Road, is currently a state highway and Caltrans maintains authority over its right-of-way and standards for improvements. The General Plan recommends that the City discuss and negotiate with Caltrans for the relinquishment of Coast Highway through the City as a State Highway and begin these discussions at the earliest possible time.

Imp 14.10 Transportation Corridor Agencies (TCA)

The Transportation Corridor Agency (TCA) oversees the San Joaquin Hills (SR-73) Toll Road. It is governed by a Board of Directors made up of elected officials from cities and county districts that are adjacent to the toll roads, whom are appointed by the respective cities. The San Joaquin Hills Toll Road was built as a state highway, owned and maintained by Caltrans and the TCA is responsible for public oversight, toll policies, operations, and financing. The City shall coordinate its local roadway improvements that impact and are impacted by the Toll Road with the TCA.

Imp 14.11 California Public Utilities Commission

The California Public Utilities Commission (PUC) regulates privately owned telecommunications, electric, natural gas, water, railroad, rail transit, and passenger transportation companies. Among its

responsibilities is the coordination of funding for the undergrounding of overhead utilities. Newport Beach shall work with the PUC in obtaining funding and implementing the undergrounding of remaining overhead utilities.

Imp 14.12 Coordinate with United States Army Corps of Engineers

Among its responsibilities, the United States Army Corps of Engineers (USACE) is responsible for the protection of water resources, habitat, and hydrological processes in the “navigable waters” of the United States. This encompasses wetlands, in addition to Newport Harbor and Bay.

Implementation of the General Plan’s policies for natural resource protection shall be achieved through the City’s support of programs of the USACE, with other agencies, in the restoration of wetlands and other habitat on Banning Ranch. The City shall cooperate with the USACE and other agencies in implementing the eel grass restoration of Newport Bay and programs for the protection and management of upper Newport Bay, including the Newport Beach Marine Conservation Area, Irvine Coast Marine Life Refuge, and Upper Newport Bay State Marine Park. In addition, the City shall coordinate with USACE in the maintenance and delineation of federal navigational channels for navigation and safety in Newport Harbor and securing and funding sediment disposal sites for future dredging projects.

Imp 14.13 Coordinate with United States Fish and Wildlife Service

The US Fish and Wildlife Service (USFWS) is responsible for conserving, protecting, and enhancing fish, wildlife, and plants and habitats that are subject to federal jurisdictional authority within Newport Beach. The City shall cooperate with the USFWS, in collaboration with other resource agencies, in the protection of terrestrial and marine resources including wetlands and other important habitats on Banning Ranch and supporting and implementing management of the Upper Newport Bay State Marine Park and marine life refuges off shore of Corona del Mar and Newport Coast.

Imp 14.14 Coordinate with Environmental Protection Agency

The US Environmental Protection Agency (EPA) is responsible for protecting human health and the environment. Other responsibilities include developing and enforcing regulations that implement environmental laws enacted by Congress; cooperating with the US EPA, in collaboration with other resource agencies, in the protection of terrestrial and marine resources; and working with the EPA to secure sediment disposal sites for future dredging projects.

Imp 14.15 Coordinate with United States Postal Service

The United States Postal Service (USPS) maintains a distribution facility in Mariner’s Mile. Newport Beach should work with the USPS for the possible relocation of this postal distribution facility to enable its reuse for parking or retail activity. The City should assist in the identification of potential alternative sites that are accessible to residents and do not adversely impact neighborhood character.

Imp 14.16 Other Agencies.

There are numerous other agencies that have jurisdiction and/or are involved in the development, capital improvement, and conservation programs of the City of Newport Beach. The following lists some of these key agencies:

- Energy and telecommunications service providers such as Southern California Edison Company and Southern California Gas Company
- Santa Ana Regional Water Quality Control Board
- Metropolitan Water District
- South Coast Air Quality Management District
- Southern California Association of Governments
- California State Parks
- National Marine Fisheries Service

15. ANNEXATION

Overview

Lands may be annexed into the City of Newport Beach with the approval of the Local Agency Formation Commission (LAFCO) and registered voters within the area to be annexed or property owners, based on land valuation, where there are no residents.

During the approval process the City must identify its intended zoning for the area, which must be consistent with the General Plan; review of the environmental impacts of annexation; identify the costs and adequacy of government services; evaluate the ability of the City to provide the services to the annexed area and sufficiency of revenue demonstrated; and establish a program and compensation defined for the transfer of existing facilities, such as parks and libraries, and capital improvements from the County to the City.

A fiscal impact study should be conducted for any proposed annexation that identifies all costs of services, the revenue to be derived, and the net effect on the City's overall fiscal balance. In practice, this will be accomplished through the Fiscal Impact Model developed for the General Plan update. Unincorporated lands within Newport Beach's sphere of influence should be considered for annexation.

Programs

Imp 15.1 Encourage Annexation of Banning Ranch Prior to Development

The City shall work with the property owners to reach agreement on development of the property (if it is not acquired as open space) with City approvals and its annexation into Newport Beach prior to development, to assure that development is consistent with the goals and policies of the General Plan.

Public Infrastructure Plans

A diversity of public and quasi-public agencies is responsible for the provision of infrastructure and services for Newport Beach's residents and businesses. These include agencies both under the jurisdiction and independent of the City. Each is responsible for the planning and funding of improvements to assure that existing and projected future needs of Newport Beach's residents are

met. The General Plan provides information to each agency regarding the City's intended distribution and density/intensity of future growth that should serve as the basis for the updating of Public Improvement Plans that specify the type, amount, cost, and phasing of public improvements and facilities necessary to support future population and employment development.

16. MOBILITY INFRASTRUCTURE AND TRAFFIC MANAGEMENT

Overview

The City's Department of Public Works is responsible for the planning, engineering, and improvement of streets throughout the City, except the portions of Coast Highway and Newport Boulevard that are designated State Highways, State Route 73, and streets within gated residential communities. It is anticipated that the City will assume responsibility for Coast Highway in the future. Required improvements are reviewed annually, prioritized, and funded by the City's Capital Improvement Program (CIP).

Programs

Imp 16.1 Improve Arterial Streets and Highways According to Classification

The City shall take the necessary actions to obtain the required right-of-way to provide the ultimate cross sections for each type of roadway classification designated in the General Plan when adjacent land development occurs.

Imp 16.2 Monitor Traffic Conditions and Plan for and Fund Improvements

The City shall monitor, design and manage roadway conditions and maintain streets. Periodically, the City shall conduct traffic counts at key intersections and roadways (average daily traffic counts and peak hour intersection counts). The City shall strive to maintain Level of Service "D" as specified in General Plan policies. Street improvements in the City's Capital Improvement Program shall be reviewed and updated regularly to meet and maintain the adopted traffic level of service standards and be consistent with Measure M and State Congestion Management Program requirements.

Imp 16.3 Construct Street and Highway Improvements

The City shall construct necessary improvements to street intersections to attain acceptable Levels of Service, as defined in the Circulation Element. These shall be implemented as needed based on the list of impacted intersections included in the General Plan EIR, and also in accordance with development project traffic impact studies. Intersections with improvements necessary for buildout conditions are delineated on Figure CE-3 of the Circulation Element.

Imp 16.4 Monitor Roadway Conditions and Operational Systems

The City shall monitor and maintain City streets and thoroughfares. The City shall develop and follow a schedule for periodic review of City streets with respect to pavement, signage, signalization, and

comparable elements. If inadequacies are found, the City will perform or contract with a consultant to perform maintenance of roadway features.

Imp 16.5 Maintain Consistency with Regional Jurisdictions

The City shall maintain consistency with regional jurisdictions (Caltrans, Orange County) to provide adequate facilities including roadway infrastructure plans and design standards. The City shall work with regional jurisdictions to modify regional plans (such as the Orange County Master Plan of Arterial Highways) so that they are consistent with City plans. The City will also periodically review City standards to ensure they remain up-to-date and consistent with regional standards as new standards are adopted.

Imp 16.6 Local/Neighborhood Access Roads

The City shall undertake studies of residential neighborhoods on a case by case basis to identify local circulation patterns and principal access points in order to assess the opportunities and needs to restrict, divert, or mitigate arterial traffic intrusion. Such studies should include an assessment of the traffic impacts on the entire neighborhood and the participation of neighborhood residents to prepare a consensus plan of neighborhood traffic control. In addition, the City shall maintain standards that ensure safe and efficient access for emergency vehicles to residential, commercial, and industrial areas.

Imp 16.7 Traffic Control

Traffic congestion shall be reduced through reasonable methods utilizing conventional and innovative methods for traffic control. Traffic signal timing standards, in addition to serving drivers, should adequately provide for pedestrian crossings. Traffic signal interconnect systems shall be maintained and upgraded to efficiently coordinate and control traffic flows on arterial streets. The City shall identify and incorporate intelligent transportation systems as a logical method to improve peak hour traffic flow.

The special issue of summertime traffic should be monitored and evaluated periodically. The City should continue to evaluate and implement, if appropriate, summertime traffic control measures and/o alternative transportation modes to reduce the impact of high volume summer traffic.

Imp 16.8 Provide Public Transportation

The City shall continue to operate local demand-responsive transit service within the City to ensure mobility and accessibility for the City's citizens, especially the elderly. The City shall also work with the Orange County Transportation Authority for countywide bus service that will guarantee regional and local travel options. The City should encourage the development of additional public transportation services and facilities such as park-and-ride facilities, and look for opportunities to support the upgrade and enhancement of existing services.

Imp 16.9 Manage Truck Operations

Maintain and enforce a system of truck routes on specified arterial streets to control trucking and delivery operations within the City. Periodically review the truck route system and make changes as required to ensure that it adequately serves the City and protects areas of the City from truck traffic intrusion. Work with regional agencies as they continue to assess goods movement in Orange County.

Imp 16.10 Improve Parking Supply and Management

Parking Management Programs shall be considered for commercial and residential areas of the City with inadequate parking, such as Corona del Mar and the Balboa Peninsula. This may consider the development of public parking lots or structures, street parking permitting, valet programs, and similar techniques as feasible. Existing public parking lots should be evaluated for their accessibility, utilization, and proximity to the uses they support. Possible relocation should be considered where they do not effectively support surrounding land uses.

Funding for public parking facilities may be derived from the establishment of parking districts, supported by local businesses and organizations, including Business Improvement Districts. In-lieu fee programs shall be considered to fund the development of public parking.

The City shall work with commercial, office, and institutional property owners to encourage the use of parking areas on weekends and holidays in conjunction with transit services.

Imp 16.11 Maintain Trails

Newport Beach should continue to develop and maintain non-motorized transportation systems as a viable alternative to vehicular travel and to help satisfy local recreational needs, and should include trails and facilities that traverse the citywide area. A system of route designations for bicycles, equestrians, and pedestrians, as well as support facilities shall be maintained in cooperation with adjacent jurisdictions, where appropriate.

Imp 16.12 Marine Transportation

The City shall conduct a study to evaluate the feasibility of marine transportation services as a supplement to automobile use. Marine transportation docking, buildings, and support facilities such as parking throughout the coastal areas of the City shall be evaluated and modified as necessary and feasible to coordinate with the surrounding transportation system.

17. WATER

Overview

Water service in the City of Newport Beach is provided by the City, Irvine Ranch Water District, and Mesa Consolidated Water District. Each agency maintains master plans for services, facilities, maintenance, and improvements necessary to support existing and projected population growth and development. Conservation practices and requirements to meet regional, state, and federal water quality regulations are included within the respective plans. Each agency maintains a capital improvements program for the provision of water system improvements, special projects, and ongoing maintenance. Water demands are monitored and periodically the plans are updated to account for any service issues and regulatory changes.

Programs

Imp 17.1 Maintain and Implement Urban Water Management Plans and Encourage Conservation

Information regarding the General Plan's development capacities shall be forwarded by the City to the Irvine Ranch Water District and Mesa Consolidated Water District as the basis for their consideration of the adequacy of existing and planned improvements to meet the needs of existing and future populations. Required facility improvements shall be budgeted by each agency, including, where appropriate, the City's five year and annual Capital Improvement Programs.

Strategies to promote the conservation of water should be periodically reviewed for their effectiveness and updated in the plans to reflect best management practices. These may include tiered rates, the use of recycled water, incentives for on-site capture and retention of rainwater in private development, and comparable techniques. In addition, the water agencies should consider the potential use of alternative water sources for the water supply by implementation of advanced water treatment processes, when feasible.

18. SEWER

Overview

Sanitation service and sewerage in the City of Newport Beach are provided by the City, Irvine Ranch Water District (IRWD), and Costa Mesa Sanitation District (CMSD). Each agency maintains master plans for services, collection and treatment facilities, maintenance, and improvements necessary to support existing and projected population growth and development. Wastewater from these service areas, as well as greater Orange County, is collected, treated, and disposed by the Orange County Sanitation District (OCSD).

Programs

Imp 18.1 Maintain and Implement Sewer Master Plan

Information regarding the General Plan's development capacities shall be forwarded to the IRWD, CMSD, and OCSD as the basis for their consideration of the adequacy of existing and planned improvements to meet the needs of existing and future populations. These master plans should review the adequacy of facilities in areas in which new growth or substantive changes in use are targeted. Required facility improvements shall be defined and budgeted by the respective agencies, including the City's five year and annual Capital Improvement Programs.

19. STORM DRAINAGE

Overview

Storm drainage systems in the City of Newport Beach are maintained by the City, Orange County, and local community associations. In general, the County is responsible for maintaining the regional flood

control system, while the City is responsible for local improvements, excepting Newport Coast. Drainage improvements are coordinated between the City's Public Works Department and County's Public Resources and Facilities Department. Each maintains master and capital improvement plans for storm drainage improvements, special projects, and ongoing maintenance. These must also conform to regional, state, and federal regulatory requirements, including controls of the discharge from municipal storm sewer systems.

Programs

Imp 19.1 Maintain Storm Drainage Facilities

The City and County shall periodically review their Storm Drain Master Plans to assure that adequate facilities are provided to serve permitted development and to comply with National Pollutant Discharge Elimination System (NPDES) requirements.

20. PUBLIC STREETSCAPE IMPROVEMENT PLANS

Overview

The City has completed streetscape improvements for Balboa Village and Corona del Mar, including street trees and plantings, medians, decorative paving materials, lighting, and benches. Specific Plans for other areas and General Plan policies provide for the implementation of additional streetscape improvements.

Programs

Imp 20.1 Design, Fund, and Construct Streetscape Improvements

For areas designated by the General Plan to achieve an active pedestrian environment or improvement of their image and quality, design plans and financing plans should be prepared for the appropriate streetscape improvements. These may include the Airport area's residential villages, Mariner's Mile, West Newport Mesa, and West Newport (highway), as well as a comprehensive plan for Balboa Peninsula that links its districts along Newport/Balboa Boulevard from Lido Village to Balboa Village. Where the public streetscapes are integral to new residential and mixed-use neighborhoods, their implementation shall be the responsibility of private developers, in conformance with legislative nexus requirements. For other areas, funding may be derived from fees imposed by a local business improvement district, capital improvement funds, and other sources.

Imp 20.2 Design, Fund, and Construct Waterfront Promenade

The planned waterfront promenade on Newport Harbor should be designed, sources of funding identified, and constructed as feasible. Where private properties are redeveloped, promenade improvements shall be integrated with the new construction and be the responsibility of the developer.

Imp 20.3 Fund and Construct Public View Sites

The City shall develop a plan for the development of public view sites and amenities specified by Policies NR 20.3 and 20.5. The location, types, and of improvements and a financing plan shall be specified, which may include such elements as observation decks or plazas, benches, markers and signage, telescopes, lighting, and landscape.

21. HARBOR RESOURCES PLANNING AND MANAGEMENT

Overview

The City's Harbor Resources Division is responsible for tidelands administration including management of pier and mooring permits, harbor dredging, pumpout stations, Balboa and Corona Del Mar parking lots, Marine Life Refuge, Balboa Yacht Basin, harbor debris pickup, and mooring liveaboards.

Programs

Imp 21.1 Review and Update Harbor and Tidelands Improvement Plans

The Harbor Resources Division shall review its goals and policies to assure that the plans, proposed improvements, and operations for the Harbor and tidelands are consistent.

Imp 21.2 Develop Harbor Area Management Plan

Develop a harbor area management plan (HAMP) that provides a comprehensive approach to the management of Newport Bay's resources, including restoration of marine habitats such as kelp beds and fisheries, and boat anchorages, marinas, and other development activities. Improvements in the Harbor shall be located and designed to facilitate boating and other coastal recreational activities, while protecting important marine habitats, prevent water pollution, maintain the Harbor's hydrologic functions, protect coastal landforms and dunes, minimize sand transport, and be compatible with adjoining residential neighborhoods. This will require coordination with the Orange County Harbors, Beaches, and Parks Department and Harbor Patrol Division and U.S. Army Corps of Engineers relative to their respective jurisdictions.

Among the improvements that shall be considered is the identification of an area that can support Harbor maintenance facilities and equipment. This shall be coordinated with the Orange County Harbor Patrol Division, California Coastal Commission, and other jurisdictional agencies. In addition, the Division shall review procedures for the transfer of mooring titles to assure their equitable use.

Imp 21.3 Events Management and Programs

The City shall continue to coordinate Harbor event planning in collaboration with the Harbor Commission and Orange County Harbor Patrol. Special operating standards shall be established for the Christmas Boat Parade and other activities that are seasonal, recurring, and unique to the Harbor,

but which may require special controls on access, parking, noise, and other factors to minimize impacts on residential and other users.

The City shall review the need to require vendors to provide a safety program that educates boaters and property owners on safe boating and berthing practices. The program could be integrated with permit/lease enforcement to protect the public health and safety and the rights of other users and owners/lessees.

The City shall continue to work with various community and business associations such as the Balboa Village Merchants and Owners Association, Mariner's Mile Business Owners Association, and the Newport Pier Association as well as the vessel owners/operators to provide for the parking needs of the patrons of sportfishing boats, passengers and sightseeing vessels, and boat rentals.

Imp 21.4 Harbor Operations and Management

The City shall prepare and fund a joint City/County study that will evaluate the costs and efficiency of current services provided by the City and County in Newport Harbor and opportunities to realign these to reduce costs.

Public Service Facility Plans

Agencies responsible for the provision of public services for Newport Beach's residents and businesses shall maintain plans and fund improvements to assure that they adequately meet existing and projected future needs. The Public Facilities Plans shall specify the type, amount, cost, and phasing of public improvements and facilities that will support existing land uses and growth accommodated by the updated General Plan.

22. POLICE AND FIRE

Overview

The Newport Beach Police and Fire Departments provide public safety services to the City's residents, business, and visitors. Until such time that Banning Ranch may be annexed, police and fire services will be primarily provided by the Orange County Sheriff's Department and Orange County Fire Authority respectively, although the City will continue to provide response services through established mutual aid agreements.

Programs

Imp 22.1 Maintain and Enhance Police and Fire Facilities

The City of Newport Beach Police and Fire Departments shall maintain, periodically update, and implement their plans for facilities, equipment, and personnel to provide service to the community. On annexation of new areas, police and fire service responsibilities would be transferred to the City. The Police and Fire Departments shall monitor their operations, emergency response times, and number of incidents (rates of crime and fire calls) and periodically review the need to expand existing

and/or construct new facilities to assure an acceptable level of service. Physical improvements shall be incorporated in the City's CIP.

23. PARKS AND RECREATION

Overview

The Newport Beach Recreation and Senior Services Department and General Services Department are responsible for the development and operation of public parks in the City of Newport Beach. These encompass parks, greenbelts, beaches, and community centers, as well as joint use of public school grounds. In addition, the county and state own and operate four recreational facilities in the City. The City collects fees and/or requires dedication of land for parks in accordance with the *Quimby Act*, based on the standard of five acres of park for each 1,000 residents. The City oversees the development of new and improvement of existing parklands and facilities. The Recreation Element of the General Plan identifies specific needs for service areas throughout the City. Banning Ranch is the single largest property available for the development of a new park, should it be annexed to the City. In most other cases, new parklands will occur within the fabric of existing development.

Programs

Imp 23.1 Maintain and Update Parks and Recreation Facility Plans

The City shall maintain, periodically update, and implement its plans for the development, operation, programming, and maintenance of its system of parks throughout the City. Resident recreational needs should be monitored on a continuing basis to correlate these with park facilities and recreational programs.

Once each five years, the City should comprehensively review the status of its park system and assess the need for improvements, including new or renovated facilities. These shall be prioritized and a funding program defined for their implementation. Park users and the community shall be involved in identifying and prioritizing the improvements.

Imp 23.2 Maintain and Improve Parks and Recreation Facilities

Through the CIP and development approval process, the City shall implement the park improvements specified by the Recreation Element. Parks should be designed in consideration of their adjoining land uses, particularly to prevent impacts on residential neighborhoods due to lighting, noise, site access, and parking and minimize lighting impacts on any adjacent habitat areas. Facilities shall be designed and properties landscaped to complement the quality of the neighborhood in which they are located. Additionally, the City shall consider assisting Orange County with the management, operation, and maintenance of Upper Newport Bay Ecological Reserve, including the Peter and Mary Muth Center.

Imp 23.3 Assess Recreation Needs

Periodically, the City shall evaluate the recreation needs of Newport Beach's residents. Existing programs should be reviewed and scored according to their adequacy and programs desired by residents but not currently or inadequately provided should be identified. This may be accomplished

through surveys of park users, homeowner organizations, and other residents. Results of the survey would be used defining future programs to be provided at local parks and beaches.

Imp 23.4 Maintain Recreation Programs for Newport Beach's Residents

Recreational programs will be provided to serve the needs of Newport Beach's residents as identified by the needs assessment and prioritized by the Parks, Beaches, and Recreation Commission. Periodically the City shall review and update as necessary its fees for recreation programs to assure that they are adequate to cover ongoing costs. This may include a comparative assessment of the fees imposed by other jurisdictions.

Imp 23.5 Requirements for Residential Developers

As new residential developments are approved, requirements for parkland dedication, improvements, or the provision of in-lieu fees in accordance with the park dedication (Quimby) ordinance shall continue to be implemented.

Public Services and Programs

Services to support the needs of the City of Newport Beach's residents, businesses, and visitors are provided by a diversity of City departments, other public agencies, and private organizations. The following summarizes the principal programs that implement the General Plan's policies. These do not encompass all of the programs that are administered by each department or agency, which may include other activities unrelated to the Plan's policies. Inherently, the scope of these programs will change often during the General Plan's implementation due to evolving needs and available funding. The list of programs in this section should be reviewed and updated regularly.

24. ECONOMIC DEVELOPMENT

Overview

The City of Newport Beach administers programs to promote economic activity within the City to maintain a healthy economy, provide revenue for high quality municipal services and infrastructure maintenance and improvements, and preserve the City's unique commercial villages. The City Council's policy states that these will serve the overriding purpose of protecting the quality of life of Newport Beach's residents, in recognition of the balance of economic development objectives with the protection of the environment and health and safety of the community.

Priority improvement areas include Mariner's Mile, Corona del Mar, Balboa Village, West Coast Highway, Lido Village, Cannery Village, and McFadden Square. To achieve these, Council policy established the Economic Development Committee (EDC), which places a priority on cooperative relationships with the Chambers of Commerce, Conference and Visitors Bureau, Building Industry Association, Business Improvement Districts, other business groups, and individual business and property owners.

Programs

The economic development implementation actions below summarize the principal components of the Economic Strategic Plan prepared as a companion piece to the General Plan. The reader should refer to that document for more information.

Imp 24.1 Adopt and Implement Strategic Plan for Fiscal and Economic Sustainability

The Economic Development Committee should complete the Strategic Plan for Economic Sustainability for City Council approval. This plan should outline the incentives to be provided and other City actions to be undertaken to implement the goals and policies of the General Plan. This plan should be dynamic and reviewed and updated annually as a part of the City budget.

25. HOUSING PROGRAMS

Overview

Newport Beach's Planning Department administers a number of policies and programs identified in the Housing Element that promote the preservation, conservation, and improvement of housing within the community; support the development of a variety of housing for all economic segments; support the needs of special needs households and existing homeowners; preserve existing affordable housing; and support equal housing opportunities for all residents.

Programs

Imp 25.1 Implement Housing Element Programs

As required by state law, the Housing Element includes a five-year action plan with programs for the City to meet its goals for housing conservation, development, affordability, and access. The City shall implement these programs and update its Housing Element as required by state law.

26. CODE ENFORCEMENT

Overview

The City of Newport Beach enforces Building and Zoning Ordinances to assure the protection and preservation of public health and safety, residential neighborhood character, and the overall quality of life for Newport Beach's residents.

Programs

Imp 26.1 Enforce Codes and Ordinances

Newport Beach shall continue to administer health and safety, zoning, and other codes and ordinances that implement the General Plan. While enforcement procedures normally occur on a complaint basis, the City may consider the appropriateness of pro-active inspection of areas of the

City in which there has been a high frequency of prior complaints. Among the purposes for which this may be initiated by the City are the removal of illegal signs and control of retail commercial, restaurant, entertainment, and comparable uses that directly abut residential neighborhoods.

27. PROPERTY MAINTENANCE AND ENHANCEMENT

Overview

While code enforcement is the primary tool used by the City to assure compliance of private property owners with Newport Beach's codes and regulations, there are a number of other programs directed at property maintenance and improvement.

Programs

Imp 27.1 Seismic Compliance

The City shall support and encourage the seismic retrofitting and strengthening of essential facilities, especially facilities that have been constructed in areas subject to ground rupture, high levels of earth shaking, and tsunamis. The retrofitting of unreinforced masonry buildings during remodels to minimize damage in the event of a seismic or geologic hazard shall continue to be required.

28. EMERGENCY PREPAREDNESS AND RESPONSE

Overview

The City of Newport Beach Police and Fire Departments maintain programs for emergency preparedness, response, and recovery.

Programs

Imp 28.1 Maintain Hazards Data Base

The Police and Fire Departments shall maintain data bases regarding the type and occurrence of criminal activities and natural hazards (e.g., tsunami inundation, wildfire hazards, flooding, seismic, landslide, subsidence, and other) that may impact the City as the basis for the planning of facilities, personnel assignments, and emergency response programs.

Imp 28.2 Maintain Emergency Preparedness, Response, and Recovery Programs

The Police and Fire Department shall maintain, and periodically update, and implement their plans for emergency preparedness, response, and disaster recovery. This shall include cooperative and mutual aid agreements with adjoining jurisdictions, the County of Orange, and state and federal agencies and participation in disaster simulations.

29. COMMUNITY INVOLVEMENT

Overview

Newport Beach provides opportunities for its residents and businesses to be engaged in its culture and life through education about community services, programs, and initiatives and participation in a diversity of community events. Additionally, numerous opportunities are provided for public input and advice in the City's decision-making processes through the diversity of appointed boards, commissions, and committees. Among these are the Board of Library Trustees; City Arts Commission; Civil Service Board; Parks, Beaches, and Recreation Commission; Planning Commission; Harbor Commission; Aviation Committee; Economic Development Committee; Coastal/Bay, Water Quality Citizens' Advisory Committee; Environmental Quality Affairs Citizen Advisory Committee; Newport Coast Advisory Committee; and, constituted for the purposes of the updated General Plan, the General Plan Advisory Committee. Additional committees may be formed for limited or extended time periods to address specific issues. These boards, commissions, and committees and City Council meetings provide opportunities for public input at any of their meetings, in conformance with state law.

Programs

Imp 29.1 Educate the Community

The City shall continue to make information available to inform residents and businesses within the City regarding its services, programs, and key community issues. Representative of the range of information that may be presented include: land use zoning and development processes; development fees; code compliance; property and building maintenance and improvement techniques; financial assistance and affordable housing programs, public transportation; ride-sharing, energy conservation methods, waste reduction and recycling programs; hazards and emergency/disaster preparedness, evacuation, and response protocols and procedures; natural resources and their value; educational and cultural events and venues; parks and recreation, health and safety, and seniors and youth programs; and access to government services and elected officials. This information may be presented in flyers and newsletters that are distributed to households in the City, on the City's Web Page, by cable television broadcasts, in workshops with homeowners associations and business organizations; and general community presentations and workshops.

Imp 29.2 Support of the Arts, Culture, and Historic Resources

The City shall continue to work with the Arts Commission and local community groups and organizations to incorporate donated or privately funded arts elements and exhibits in public buildings and facilities such as City Hall and the Central Library. The City shall also work with local groups advocating for the preservation of historic sites and buildings. Procedures for the review of modification and/or demolition of these resources shall be defined.

Imp 29.3 Support Community Environmental and Recreation Initiatives

The City shall support private groups' efforts to (a) acquire properties and their development for the Orange Coast River Park including the potential acquisition of Newport Beach's westernmost parcel, currently developed as a mobile home park, to be completely or partially re-developed as a staging

area for the park; and (b) acquire Banning Ranch as open space and the restoration of its wetlands and habitats.

Financing

The financing strategy defines the sources and uses of funds for the public improvements and services described in the Public Improvement Plans and Public Services Programs. In addition to those defined herein, any development specific plan will incorporate a detailed financing plan as stipulated by state law.

30. MUNICIPAL BUDGETING

Overview

The General Fund is the portion of Newport Beach's operating budget that funds the majority of City services. This fund is used to account for fiscal resources which are dedicated to the general government operations of the City. Examples of the services funded by the General Fund include Police and Fire Services; Refuse Collection; Public Library; Recreation Programs; much of the City's expenditures on street maintenance; Planning and Building, and Engineering services; as well as the general administration of the City. In addition, many Capital Improvements are funded by the General Fund.

The General Fund and its activities are primarily supported by property, sales, and transient occupancy taxes. In addition, the other revenue sources supporting General Fund activities include: Licenses, Fees and Permits; Intergovernmental Revenues; Charges for Services; Fines, Forfeitures and Penalties; Revenue from the Use of Money and Property; Contributions; and Other Miscellaneous Revenue. By far, the City's largest revenue source is property taxes. The second largest single revenue source is Sales Tax, followed by Transient Occupancy Tax.

Programs

Imp 30.1 Maintain Annual Budgets for City Services and Improvements

The City shall annually budget for the provision of services to Newport Beach's residents and businesses. This shall define their costs, sources of revenue, and estimates of revenues to be received including any necessary changes in fees. As part of the budget, the City will adopt a Capital Improvement Plan (CIP) that provides funds for capital facilities including arterial highways; local streets; storm drains, bay and beach improvements; park and facility improvements; water and wastewater system improvements; and planning programs.

Imp 30.2 Administer Impact and User Fees

a. Development Impact Fees

The City imposes fees on development projects to provide revenue for required supporting public infrastructure and services, and mitigation of transportation, environmental and other impacts in

accordance with state nexus legislation. This includes fees imposed for transportation improvements by the Fair Share Traffic Contribution Ordinance. For development projects that contain low and moderate income housing, the planning fees may be waived at the discretion of the City Council and Planning Commission. Development fees will be evaluated annually to ensure that they are sufficient to support new infrastructure and that the fiscal balance of the developing land use mix can sustain the City's ability to operate and maintain the existing infrastructure.

b. Park Dedication and In-Lieu Fees

The City requires dedication of land, payment of fees in-lieu thereof, or a combination of both for park or recreational purposes in conjunction with the approval of residential projects. In-lieu fees are placed in a fund earmarked for the provision or rehabilitation of park and recreation facilities that can serve the subdivision. The City's park fees shall be reviewed periodically for their adequacy and updated as necessary.

c. Tideland Revenue Fees

The City derives revenue from a diversity of activities conducted in the tidelands including moorings, public marinas, piers, entertainment boat permits, property leaseholds, and other uses. The feasibility of implementing longer term tideland leases with rental rates that reflect the nature and intensity of the permitted uses and activities and security for funding enhanced or expanded facilities should be studied. Tideland revenues shall be restricted for expenditures within the designated tidelands.

31 COMMUNITY FACILITIES AND SPECIAL ASSESSMENT DISTRICTS

Overview

Assessment districts are established for the funding of streets, water, sewerage, storm drainage, schools, parks, and other infrastructure and services required to support development. Costs are distributed and fees assessed on all development in the district. When applied to developed properties, a vote of the property owners is required for implementation.

Actions

Imp 31.1 Consider the Establishment of Community Facilities and Special Assessment Districts

The establishment of new Community Facilities and Special Assessment Districts shall be considered as necessary to support new development in the City. This would most likely be limited to areas in which extensive redevelopment is projected and for large vacant parcels that may be developed. Respectively, these may include development of residential villages in the Airport Area and West Newport Mesa and a mixed-use community in Banning Ranch should it not be acquired as open space. Additionally, the City may form and implement Lighting and Landscape Districts as a means to improve community character and the undergrounding of utilities.

Attachment No. PC 2

General Plan Annual Status Report
(Including Housing Element Report)



CITY OF NEWPORT BEACH
GENERAL PLAN ANNUAL STATUS REPORT
(Including Housing Element Report)
2012 Calendar Year

Consistent with Government Code Section 65400, the General Plan Annual Status Report was prepared using guidelines set forth by OPR and provides information for decision makers on the status of the General Plan and progress on implementation during the 2012 calendar year. The updated Newport Beach General Plan was adopted in November 2006 pursuant to guidelines provided in Government Code Section 65040.2 and consistent with Section 65400(a)(2)(c). Included in the General Plan is an Implementation Program which includes specific programs to carry out the goals and policies of the General Plan. This report evaluates and provides the status of work on each program.

The Housing Element Report addresses specific requirements mandated by Government Code Section 65400(a)(2), Government Code Sections 65584 and 65583, and can be found following the General Plan Implementation Programs.

A. GENERAL PLAN IMPLEMENTATION PROGRAMS

TASKS		STATUS
1.1	Ensure that Private Development and Capital Improvements are Consistent with the General Plan	<p>Ongoing</p> <ol style="list-style-type: none"> 1. All private development projects require consistency with the General Plan, otherwise discretionary review and approvals are required. 2. All Capital Improvement Projects are reviewed for General Plan Consistency and in May 2012 staff presented CIP for fiscal year 2012-2013 to the Planning Commission for review. The Planning Commission determined the CIP as consistent and the CIP was included with the CIP budget presentation to the City Council.
1.2	Update and Revise the General Plan to Reflect Changing Conditions and Visions	<p>Ongoing</p> <p>The General Plan was updated in 2006 and on an ongoing basis staff reviews the General Plan to ensure it is maintained to reflect current conditions, issues, and visions.</p>
1.3	Prepare Annual General Plan Progress and Housing Element Implementation Reports	<p>Pending</p> <p>Annual Report received and filed by City Council and sent to OPR and HCD in April 2012.</p>
2.1	Amend the Zoning Code for Consistency with the General Plan	<p>Complete</p> <p>Comprehensive Zoning Code Update, consistent with the General Plan, was adopted by City Council in October 2010.</p>
3.1	Preparation of New Specific Plans	<p>Ongoing</p> <p>Banning Ranch project was not proposed as a Specific Plan but rather the property owner elected to do a Planned Community Development Plan pursuant to Program 4.1 below. Within the Airport Area, Uptown Newport and Koll Center also elected to do a Planned Community Development pursuant to Program 4.1. There have been no activities initiated in West Newport Mesa.</p>

TASKS		STATUS
4.1	New "Planned Community" Development Plans	<p>Ongoing</p> <ol style="list-style-type: none"> 1. Banning Ranch - On July 23, 2012, the City approved an application filed by Newport Banning Ranch, LLC for a proposed planned community on a 401.1 gross-acre project site for development of 1,375 residential dwelling units, a 75-room resort inn and ancillary resort uses, 75,000 square feet of commercial uses, approximately 51.4 gross acres of parklands, and approximately 252.3 gross acres of permanent open space. The Planned Community Development Plan was adopted August 14, 2012, and provides zoning regulations for those portions of the property within the City of Newport Beach and serves as pre-annexation zoning for those portions under the jurisdiction of the County of Orange. The project also requires the approval of a coastal development permit by the California Coastal Commission. Newport Banning Ranch LLC submitted their application to the California Coastal Commission in January 2013. The review by Coastal Commission staff is expected to take a minimum of one to three years. 2. Uptown Newport – With anticipated City Council approval in February 2013, the Uptown Newport Planned Community was created (formally a part of the Koll Center Planned Community) to specifically serve as a zoning document for the construction of up to 1,244 residential units, 11,500 square feet of retail commercial, and 2.05 acres of park space. Residential development is a permitted use subject to site development review. The Uptown Newport PC requires densities between 30 du/acre and 50 du/acre, consistent with the densities of the General Plan, and allows additional density opportunities with a density bonus. 3. Koll Center Newport – Applied for a Planned Community Development Plan however, the application remains incomplete at this time.

TASKS		STATUS
5.1	Review and Revise Coastal Land Use Plan for Consistency with the General Plan	<p>Ongoing</p> <p>In 2007, the City prepared a comprehensive amendment of the Coastal Land Use Plan (LC2007-001) to make it consistent with the 2006 comprehensive update of the General Plan. The California Coastal Commission approved the amendment on February 5, 2009, with several suggested modifications. The City Council adopted the revised Coastal Land Use Plan in July of 2009, while making several changes to the General Plan to ensure internal consistency between the General Plan and Coastal Land Use Plan certified by the Coastal Commission.</p> <p>As an ongoing endeavor, the Coastal Land Use Plan is reviewed with any proposed amendment of the General Plan and companion amendments are processed to maintain consistency between the General Plan and the Coastal Land Use Plan.</p>
6.1	Review the Subdivision Ordinance for Consistency with the General Plan	<p>Ongoing</p> <p>The Subdivision Code was updated in 2009 and 2010 to implement General Plan Policy.</p>
7.1	Review Building and Construction Code for Consistency with General Plan	<p>Ongoing</p> <p>The Building Code is updated to be consistent with the California Building Code and the General Plan. The Building Code was amended to include the California Green Building Code, which implements General Plan Policy.</p>
7.2	Revise Fair Share Traffic Contribution Ordinance	<p>Pending</p> <p>The completion of updating the Fair Share Traffic fee has been put on hold until direction is determined regarding various iterations proposed by the General Plan/LCP Implementation Committee, project consultants and interested parties such as the Building Industry Association of Orange County.</p>

TASKS		STATUS
7.3	Review and Update Transportation Demand Ordinance	<p>Ongoing</p> <p>The requirements of the Transportation Demand Management Ordinance were reviewed and updated as a part of the comprehensive Zoning Code Update in 2010. It is provided as Section 20.44 in the Zoning Code.</p>
8.1	Review Codes and Ordinances for Consistency with the General Plan and Update Periodically (a. through d. are specifically recommended)	<p>Ongoing</p> <p>Codes and Ordinances are revised for consistency with the General Plan on an ongoing and as needed basis. The Zoning Code was comprehensively updated in 2010, and Subdivision Code was updated for consistency with the General Plan in 2009 and 2010.</p> <p><i>a. Requirements for live-aboard vessels pertaining to the integrity, quality, and safety of Harbor uses, environmental protection, and impacts on the public, waterfront owners/lessees, and adjoining properties – Currently under review by Harbor Resources.</i></p> <p><i>b. Regulation and transfer of mooring permit applications and titles – Managed by the Harbor Resources on an ongoing basis.</i></p> <p><i>c. Standards for the design and siting of bulkheads, pier, and similar structures to address their potential visual impacts – These designs are reviewed during permit processing on an ongoing basis by Harbor Resources.</i></p> <p><i>d. Standards and policies specified by the Noise Element to protect sensitive noise receptors, residents and businesses from unwanted noise impacts from traffic, JWA operations, construction activities, truck deliveries, special events, charter and entertainment boats, and similar sources – Reviewed and implemented on ongoing basis through project review consistent with by the Airport Land Use Environs Plan (AELUP), Code Enforcement, Harbor Resources, and Building Inspectors.</i></p>

TASKS		STATUS
8.2	Prepare New Codes, Ordinances, and Guidelines (a. through d. are specifically recommended)	<p>Ongoing</p> <p>The comprehensive Zoning Code update was adopted in November 2010 by City Council.</p> <p><i>a. A “commercial-residential” interface ordinance that regulates use, activity, and design of commercial properties located on shallow parcels directly abutting residential neighborhoods - The Zoning code update does not include an ordinance but does regulate use and design of commercial and residential properties addressing land conflicts.</i></p> <p><i>b. Design guidelines for the renovation or reconstruction of housing in existing neighborhoods to assure that they complement the character of existing development; these may be applied to specific neighborhoods or citywide – The Zoning Code provides new residential design standards to promote neighborhood compatibility found in Section 20.48.180 Residential Development Standards and Design Criteria</i></p> <p><i>c. An ordinance or guidelines for the preservation of historic buildings and/or properties; this shall be developed in consideration of guidelines published by the State Historic Preservation Office – Staff continues to review projects subject to CEQA to address historic preservation. An ordinance has not been prepared at this time.</i></p> <p><i>d. An ordinance managing parking in commercial and mixed-use corridors and districts characterized by deficient parking; this may provide for the establishment of parking districts in which new parking may be developed in public or private shared facilities or structures or other facilities, as well as procedures for the funding of these improvements - See Program 16.10 for an update on Balboa Village parking.</i></p>
9.1	Review City Council Policy Manual for Consistency with the General Plan	<p>Ongoing</p> <p>Pursuant to Council Policy, the City Council Policy Manual is reviewed annually and the last update was in September 2011. The next comprehensive review and update is scheduled for 2013.</p>

TASKS		STATUS
10.1	Maintain Up-to-Date Comprehensive Database (Data such as built land use and traffic should be updated on a continuing basis, while data that is stable, such as seismic hazard zones, can be updated on a less frequent basis)	<p>Ongoing</p> <p>The City's Geographical Information System (GIS) data is updated regularly to provide up to date parcel-specific information including specific lot information (agreements), planning (zoning, land entitlements) building, code enforcement, environmental layers, general information (contours, assessor, easement, etc.), general services, harbor, hazards including flood and seismic, fire, police, public works, parking, street and utilities.</p>
10.2	Maintain Development Tracking and Monitoring Program	<p>Ongoing</p> <p>A partial parcel-by-parcel database of existing development has been created for Newport Center and the Airport Area; however, a complete data base with full integration with the City's GIS system has not been created due to technological issues and inadequate staff resources. The Community Development Department will evaluate and prioritize the creation of a data base in 2013, resources permitting. The Community Development Department does maintain a tracking database for General Plan Amendments for compliance with the City Charter Section 423.</p>
11.1	CEQA Review Development and Entitlement Applications	<p>Ongoing</p> <p>All private and public development projects are reviewed for CEQA compliance.</p>
12.1	Evaluate Fiscal Benefits of Development Proposals and Annexations	<p>Ongoing</p> <p>In 2012, Applied Development Economics prepared on behalf of the City a fiscal impact analysis for the Banning Ranch project using the Fiscal Impact Model prepared for the 2006 update of the General Plan. The model was updated to reflect approval of the project.</p>

TASKS		STATUS
12.2	Maintain and Update Fiscal Impact Model	<p>Ongoing</p> <p>The fiscal impact model calculates public services impacts for specific land uses that support the residential population, the employment base and the visitor population in the City. It also calculates the public revenues that each type of land use typically generates for the City, including property taxes, sales taxes and other taxes as well as a variety of user charges and fees. The output from the Fiscal Impact Model can be modified to address these circumstances for each individual project and the Fiscal Year the project is proposed.</p>
13.1	Process Development Agreements	<p>Ongoing</p> <p>The City continuously requires Development Agreements for new master planned residential communities and large scale commercial and mixed-use projects. The following projects required Development Agreements in 2012:</p> <ol style="list-style-type: none"> 1. Uptown Newport – Anticipated approval in Spring 2013, the Uptown Newport Planned Community is proposed to be created (formally a part of the Koll Center Planned Community) to specifically serve as zoning document for the construction of up to 1,244 residential units, 11,500 square feet of retail commercial, and 2.05 acres of park space. Residential development is a permitted use subject to site development review. The Uptown Newport PC requires densities between 30 du/acre and 50 du/acre, consistent with the densities of the General Plan, and allows additional density opportunities with a density bonus. 2. Banning Ranch - The draft Development Agreement was finalized and on June 21, 2012, the Planning Commission voted to recommend that the City Council approve the agreement. In July 2012, the City Council introduced the ordinance approving the development agreement, and considered the ordinance for final adoption in August 2012.
14.1	Adjoining Cities (Boards Committees to collaborate with the cities of Irvine, Huntington Beach, and Costa Mesa)	<p>Ongoing</p> <p>The City continuously collaborates with neighboring cities as projects/issues warrant but there currently is not an established committee.</p>

TASKS		STATUS
14.2	Coordinate with School Districts	<p>Ongoing</p> <p>Staff will work with School Districts on the identification and acquisition of potential school sites and expansion or existing facilities. Should the need arise; Public Works staff monitors traffic conditions at school locations. The City provides school impact analysis as required by CEQA to ensure proper mitigation of impacts is provided to the School Districts. The City works with the School Districts on joint-use agreements for public recreational uses of school properties on an as needed basis.</p>
14.3	Coordinate with Orange County	<p>Ongoing</p> <p>The City of Newport Beach continues to work with the County of Orange on various programs affecting land use and development, affordable housing, transportation, infrastructure, resource conservation, environmental quality, management of Newport Harbor and Upper Newport Bay; and John Wayne Airport operations and improvement plans on an as needed basis.</p>
14.4	Coordinate with Orange County Transportation Authority (OCTA)	<p>Ongoing</p> <p>The Public Works Director is on the Technical Advisory Committee (TAC) which meets monthly and consists of most Orange County Public Works Directors to discuss and make recommendations to the OCTA and its board on the allocation of funding.</p>
14.5	State of California Department of Housing and Community Development (HCD)	<p>Ongoing</p> <p>The 2008-2014 Housing Element Update was adopted by City Council in November 2011 and HCD provided documentation indicating full compliance with the state housing element law. The 2011 General Plan Annual Progress Report including the Housing Element Report was sent to HCD in April 2012.</p>

TASKS		STATUS
14.6	Coordinate with California Coastal Commission	<p>Ongoing</p> <p>In 2012, the Planning Division took the initial steps toward certification of the Implementation Plan (IP) for the Local Coastal Program (LCP). Staff met with Coastal Commission staff to develop a work program and to identify key issues, including development on coastal bluffs and canyons; continuation of the categorical exclusion, particularly as it relates to Buck Gully, Morning Canyon, and Irvine Terrace; extending the categorical exclusion to Corona del Mar commercial area south of Coast Highway and to multi-family zones; exceptions to the Shoreline Height Limit (i.e., Marina Park, Former City Hall Site, Balboa Village, etc.); and the administration of pre-certification Coastal Development Permits.</p>
14.7	Coordinate with the California Resources Agency, Department of Fish and Game (Changed name to California Department of Fish and Wildlife)	<p>Ongoing</p> <ol style="list-style-type: none"> 1. The Harbor Resources Department continued to work with the California Department of Fish and Wildlife on eelgrass restoration projects in the Upper Bay through Coast Keeper (Non-governmental agency) and Michelle Clemente (City Marine Protection and Education Supervisor). 2. The Harbor Resources Department continued to work with California Department Fish and Wildlife on an ecosystem based eelgrass management program in developing a "Newport Specific Eelgrass Plan." A draft final version of this plan has been developed and implementation is anticipated in 2013-14. 3. In July 2012, the City approved the Newport Banning Ranch project. The approval included a Habitat Restoration Plan (HRP) for the preservation and long-term maintenance of existing sensitive habitat and habitat created and restored by the project. The HRP will be subject to the approval and monitoring by the City, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife.

TASKS		STATUS
14.8	Coordinate with the California Department of Parks and Recreation (changed their name to California State Parks)	<p>Ongoing</p> <p>The City's Marine Protection and Education Supervisor coordinates with the California Department of Fish and Wildlife, California Department of Parks and Recreation, the County, and non-governmental organizations (NGOs) to protect through implementation of state and local legislation and provide education at Big Corona Del Mar and Little Corona Del Mar State Beach, Crystal Cove, and Upper Newport Bay. Coordination highlights from 2012 include the following:</p> <ol style="list-style-type: none"> 1. Implemented Marine Life Protection Act for South Coast on January 1, 2012, including new signage and an informational brochure on our website and distributed to the public. 2. Mobile interpretive vehicle was purchased for the Traveling Tide Pool Program anticipated to start in the summer of 2013. 3. Marine Protection Program continued to work with the Public Works Department on issues regarding water quality in ASBS through education outreach 4. City of Newport Beach Marine Protection Program works with U.S. Fish and Wildlife, California Department of Fish and Wildlife, and California State Parks in the Western Snowy Plover Recovery Program.
14.9	Coordinate with the California Department of Transportation (Caltrans)	<p>Ongoing</p> <p>Public Works staff continually coordinates with Caltrans on an as needed basis. After receiving direction from the City Council on February 14, 2012, staff began working with Caltrans to take ownership of the portion of SR 55 consisting of Newport Boulevard from Finley Avenue to the Newport Channel Bridge. Execution of a Relinquishment Agreement is anticipated in February 2013 as well as the final step of California Transportation Commission adopting and recording a Resolution of Relinquishment.</p> <p>The city reviewed the offer of relinquishment for a portion of Coast Highway from Caltrans and chose not to accept it at this time.</p>

TASKS		STATUS
14.10	Transportation Corridor Agencies (TCA)	<p>Ongoing</p> <p>City staff continually works with the transportation corridor agencies (TCA) regarding the San Joaquin Hills (SR-7) Toll Road and continuously implements TCA's Major Thoroughfare and Bridge Fee Program through the Municipal Code.</p>
14.11	California Public Utilities Commission (CPUC)	<p>Ongoing</p> <p>The City works with the California Public Utilities Commission to explore funding for the undergrounding of utilities. To date, the City has adopted several underground utility districts, including assessment districts to provide funding for undergrounding projects. Most of the funding for undergrounding in the City has come from assessment districts using CPUC Rule 20B. The City receives funding allocation from Southern California Edison (SCE) for Rule 20A undergrounding projects.</p>

TASKS		STATUS
14.12	Coordinate with United States Army Corps of Engineers (Corps)	<p>Ongoing</p> <ol style="list-style-type: none"> 1. Harbor Resources staff has been coordinating with the Corps on an ecosystem based eelgrass management program in developing a "Newport Specific Eelgrass Plan." A draft final version of this plan is ready and implementation is anticipated in 2013-14. 2. In July 2012, the City approved the Newport Banning Ranch project. The approval included a Habitat Restoration Plan (HRP) for the preservation and long-term maintenance of existing sensitive habitat and habitat created and restored by the project. The HRP will be subject to the approval and monitoring by the City, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife. 3. Harbor Resources staff worked with the Corp to dredge approximately 350,000 cubic yards of sediment in the harbor's critical areas. About two-thirds of the sediment was suitable (clean) for ocean disposal at the off-shore site "LA-3", with the remaining material disposed at the Port of Long Beach ("POLB"). This part of the project, Phase I, commenced May 1, 2012, and was completed in September 2012. In July 2012, the City Council and the County Board of Supervisors approved additional funding for Phase II which will dredge an additional 210,000 cubic yards of sediment. When Phase II is complete, nearly all of the shallow areas in the harbor will be dredged to its authorized depths. As of September 30, 2012, approximately 390,000 cubic yards of material was removed from the Lower Bay, and the POLB took delivery of all materials by October 9, 2012. Anticipated completion of the project is January 2013.
14.13	Coordinate with United States Fish and Wildlife Service	<p>Ongoing</p> <p>In July 2012, the City approved the Newport Banning Ranch project. The approval included a Habitat Restoration Plan (HRP) for the preservation and long-term maintenance of existing sensitive habitat and habitat created and restored by the project. The HRP will be subject to the approval and monitoring by the City, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife.</p>

TASKS		STATUS
14.14	Coordinate with Environmental Protection Agency (EPA)	<p>Ongoing</p> <p>The City coordinates with the U.S. EPA in collaboration with other resource agencies in the protection of terrestrial and marine resources and sediment disposal sites for future dredging projects on an as needed basis when projects are within the U.S. EPA jurisdiction.</p>
14.15	Coordinate with United States Postal Service (USPS) - relocation of Mariners Mile distribution facility	<p>Ongoing</p> <p>The distribution facility remains open at this time. The City is prepared to assist in the relocation to facilitate the site for other uses at the request of the USPS.</p>
14.16	Other Agencies	<p>Ongoing</p> <p>The City continuously works with the following agencies that are involved in the development of capital improvement, and conservation programs:</p> <ul style="list-style-type: none"> • Energy and telecommunications service providers such as Southern California Edison and Gas Company • Santa Ana Regional Water Quality Control Board • Metropolitan Water District • South Coast Air Quality Management District • Southern California Association of Governments (SCAG) • California State Parks • National Marine Fisheries Service
15.1	Encourage Annexation of Banning Ranch Prior to Development	<p>Ongoing</p> <p>In July 2012, the City approved the Newport Banning Ranch project. The approval included pre-zoning of the property as a prelude to annexation. The application to the Local Agency Formation Commission (LAFCO) will be submitted following action on the project by the California Coastal Commission and any subsequent action by the City.</p>

TASKS		STATUS
16.1	Improve Arterial Streets and Highways According to Classification	<p>Ongoing</p> <p>To provide the ultimate cross sections for each type of roadway classification designated by the General Plan the following project was completed in 2012:</p> <ol style="list-style-type: none"> 1. Jamboree Road from Bayview Way to MacArthur Boulevard – bridge widened to add capacity
16.2	Monitor Traffic Conditions and Plan for and Fund Improvements	<p>Ongoing</p> <ol style="list-style-type: none"> 1. Traffic Signal Modernization Program (see program 16.4 below) 2. Installation of CCTV Cameras and Traffic Management Center in the Public Works Department which includes surveillance cameras and televisions to monitor and change the traffic signal system depending on traffic conditions.
16.3	Construct Street and Highway Improvements	<p>Ongoing</p> <p>To construct improvements to street intersections to attain acceptable Levels of Service the following project was close to completion by the end of 2012:</p> <p>Jamboree Road from Bristol North to Fairchild Road – road widened to add capacity improving Level of Service from an F to a D. Anticipated completion is early 2013.</p>

TASKS		STATUS
16.4	Monitor Roadway Conditions and Operational Systems	<p>Ongoing</p> <p>City-wide traffic signal synchronization is part of the ongoing Traffic Signal Modernization Project. The project consists of eight project phases planned to modernize traffic signal equipment and synchronize 120 traffic signals the City operates.</p> <ol style="list-style-type: none"> 1. Phases 1-5 and 7 have been completed. 2. Phase 6 design began December 2012 with project completion planned for winter 2014. 3. Through an OCTA grant and City of Irvine partnership, Phase 8 intersections along the Ford Road and University Drive corridors will be synchronized. Design on these intersections is planned to begin winter of 2013.
16.5	Maintain Consistency with Regional Jurisdictions(Caltrans, Orange County to provide adequate roadway infrastructure plans and design standards such as Orange County Master Plan of Arterial Highways)	<p>Ongoing</p> <p>The City monitors the regional Arterial Program, OCTA's Master Plan, and the County-wide traffic model to ensure consistency. Public works staff coordinates with regional jurisdictions on an as needed basis.</p>
16.6	Local/Neighborhood Access Roads	<p>Ongoing</p> <p>Public Works staff works with local neighborhood groups on an as needed basis when traffic issues arise. The City maintains standards that ensure safe and efficient access for emergency vehicles.</p>

TASKS		STATUS
16.7	Traffic Control	<p>Ongoing</p> <p>The following projects were implemented to improve traffic congestion through conventional and innovative methods of traffic control:</p> <ol style="list-style-type: none"> 1. Staff continuously took inventory of traffic signs and curb markings city-wide including the review of the retroreflectivity of existing signs which means the reflective quality of street signs that is visible to a motorist at night; 2. Annual Traffic Signal Rehabilitation Project: Replaced aging traffic signal equipment at the Coast Highway/Jamboree Road, Jamboree Road/Eastbluff Drive-Ford Road, and Superior Avenue/Placentia Drive Intersections; 3. Installed traffic signals at the Newport Center Drive/Anacapa Drive and Newport Center Drive/Center Drive intersections; 4. Added a third eastbound left-turn lane and modified the traffic signal at the MacArthur Boulevard/San Joaquin Hills Road intersection.
16.8	Provide Public Transportation	<p>Ongoing</p> <p>The City continuously looks for opportunities to support the upgrade and enhancement of existing facilities as well as encourages the development of additional public transportation services and facilities however, no new projects were proposed during 2012. The City provides a shuttle bus services for the Oasis Senior Center clients on an as needed basis. The City also continuously works with the Orange County Transportation Authority for countywide bus services.</p>
16.9	Manage Truck Operations	<p>Ongoing</p> <p>Trucks are required to obtain a Haul Route Permit through the Public works Department and are required to use designated haul routes.</p>

TASKS		STATUS
16.10	Improve Parking Supply and Management	<p>Ongoing</p> <p>Parking availability can be challenging especially during the summer months when many thousands of people visit coastal areas. West Newport, Balboa Peninsula, Mariners Mile, and Corona Del Mar experience high parking demand affecting the peaceful enjoyment of neighborhoods by residents and visitors. Parking conflicts also hold back commercial and economic activities. In 2011, the City prioritized the revitalization of Balboa Village and better parking management was considered a high priority before increasing the supply due to cost. In 2012, the City Council approved the Balboa Village Master Plan that identified several parking management strategies including the creation of a parking management district with a district-wide parking solution rather than individual parking standards. Other strategies include the study of demand based pricing, possible creation of an employee parking program, and an overnight resident parking program. The City Council also created the Balboa Village Advisory Committee to guide the implementation of these potential changes in the future. Successful strategies may be translated to fit other geographic areas to address their own specific parking issues.</p>

TASKS	STATUS
16.11 Maintain Trails	<p>Ongoing</p> <p>The City maintains existing bike paths and trails that are within the City's jurisdiction. The City worked with the Irvine Ranch Conservancy to complete multi-use trail that spans over 2.5 miles in Buck Gully.</p> <p>The Citizens Bicycle Safety Committee was established in August 2010 to promote bicycle safety and responsible cycling within the City through public outreach, bicycle facility improvements, and review of City policies and practices related to bicycles. 2012 included the following:</p> <ol style="list-style-type: none"> 1. Successfully applied for OCTA Bicycle Corridor Improvement Program grant funding to install bicycle lanes on Jamboree Road, Eastbluff Drive-Ford Road, San Joaquin Hills Road, and Spyglass Hill Road. Design to begin Winter 2013; 2. Improved Bike Lanes on Coast Highway from MacArthur Boulevard to Newport Center Drive 3. Created alternate Bike Routes through Corona del Mar; 4. Installed Bike Lanes on Newport Center Drive, Santa Barbara Drive, Santa Cruz Drive and San Miguel Drive in Newport Center; 5. Installed Sharrows on Coast Highway in Corona del Mar, including extensive Sharrow education and outreach; 6. Created and Deployed "Bikes Belong" campaign; 7. Improved Bike Lane at the Jamboree Road/Coast Highway intersection; 8. Hosted the Newport Beach Memorial Ride; 9. Created the Bicycle Safety Improvement Fund; 10. Opened communication with Caltrans to improve bicycle facilities within state right of way.

TASKS		STATUS
16.12	Marine Transportation	<p>Ongoing</p> <p>A study provided an evaluation of water taxi and found it would require a subsidy and being without a funding source the effort was put on-hold.</p>
17.1	Maintain and Implement Urban Water Management Plans and Encourage Conservation	<p>Ongoing</p> <p>The Urban Water Management Plan (UWMP) has been prepared, submitted and accepted by the Department of Water Resources (DWR) This document prepared every five years (latest 2010) detailing; 1. Factors Affecting Demand; 2. Water Use by Customer Type; 3. Compliance with SB7x7 and; 4. Contingency Plans and Future water Projections.</p> <p>The City continues to monitor water use per capita while maintaining water reliability and providing the highest water quality. Water conservation and use efficiency will continue to play a vital role in reliability and supply cost reduction and treatment. Since 2007 staff has continuously improved upon public awareness securing grant monies, offering rebate incentives for installing high efficiency devices inside and outside the home and consistent messaging. The City itself has become more efficient through establishing a City-wide water budget for all its road medians, common areas, city parks and public spaces. Various home owner associations have become aware and realize the economic and environmental benefits to efficient water use. Since 2008 the City has reduced its consumption by over three thousand (3000) acre feet. For a description of the many water supply and use efficiency programs and projects please see the 2012-2013 Project and Marketing Report at www.watersmartnewport.org There are many factors that drive water demand – e.g. Hydrological, economic, environmental, political and tourism. Understanding this water balance and the uncertainty of imported water makes the Contingency Plans and Future Water Projections as mentioned in the UWMP a key part of water supply. A portion of that plan is the non-binding, the January 20, 2010 City signed Letter of Intent for 7.1 MGD (8,000 AFY) of Project supplies from Poseidon desalination water supply.</p>
18.1	Maintain and Implement Sewer Master Plan	<p>Ongoing</p> <p>The Public Works Department continues to implement the adopted Sewer Master Plan with projects throughout the City.</p>

TASKS		STATUS
19.1	Maintain Storm Drainage Facilities	<p>Ongoing</p> <ol style="list-style-type: none"> 1. Two new CDS units were installed by Public Works Department at the City Corporation Yard and Old Newport Blvd. 2. Thirteen new tide gate/flex valve retrofits were installed on Balboa Island and Newport Peninsula. Balboa Island - Pearl Avenue at North Bay Front, Garnet Avenue at North Bay Front, Emerald Avenue at North Bay Front, Park Avenue at South Bay Front, Emerald Avenue at South Bay Front, Pearl Avenue at South Bay Front, Opal Avenue at South Bay Front, Topaz Avenue at South Bay Front Newport Peninsula - 42nd Street at River Avenue, 33rd & 34th Street at Marcus Avenue, 36th Street at Clubhouse Avenue, 19th Street at West Bay Avenue. 3. Aggressive street sweeping program - Every street in the City is swept once per week by City contractor Athens Services, which helps reduce the amount of debris that enters into our waterways. 4. The City's 86 tidal valves are operated/maintained on a regular basis, and repairs are made when moving parts break or fail. 5. Per our NPDES Permit, 3,240 catch basins are inspected and cleaned once a year. Storm Drain placards/curb makers are also inspected and new ones re-installed on a need basis. "No Dumping Drains To Bay" or "No Dumping Drains To Ocean". 6. 435 Inlet Guards are re-installed after the winter season to assist in keeping trash/debris from entering the storm drain system/bay/ocean. MOD removes them prior to the winter season's first rain event to minimize potential flooding issues within the City. 7. 17,090' feet of open v-ditches and storm drain structures are inspected/cleaned each year.

TASKS		STATUS
20.1	Design, Fund, and Construct Streetscape Improvements	<p>Ongoing</p> <p>Lido Village:</p> <ul style="list-style-type: none"> ▪ In July 2010, the City Council designated an ad hoc committee to participate in a conceptual planning process focusing on Lido Village. As a result of that effort, on January 25, 2011, the City Council approved a concept plan (Alternative 5B) that encompassed several design objectives for the area including pedestrian-friendly street improvements for Newport Boulevard, Via Lido, Central Avenue, Via Oporto, Via Malaga, and 32nd Street. ▪ On January 10, 2012, after extensive public participation, the City Council City adopted the Lido Village Design Guidelines that provides conceptual designs for improved streetscapes. ▪ The future design and funding for enhanced streetscapes will follow an ongoing planning effort for the future re-use of the existing City Hall property. <p>Balboa Village:</p> <ul style="list-style-type: none"> ▪ The City Council Ad Hoc Neighborhood Revitalization Committee (NRC) prioritized the preparation of a refreshed "Vision Plan" for Balboa Village for the preparation of an Economic Vision and Revitalization Strategy that addresses market opportunities and constraints, infrastructure opportunities, and previous economic development efforts. ▪ The Balboa Village Citizens Advisory Panel (CAP) conducted numerous public meetings guiding the preparation of an implementation plan for Balboa Village. Improved streetscapes, enhanced maintenance, and a potential commercial rehabilitation program were several strategies. In September of 2012, the City Council approved the Balboa Village Master Plan that included these program strategies ▪ The future design, funding and implementation is an ongoing effort in 2013, guided by the Balboa Village Advisory Committee.

TASKS		STATUS
20.1	Design, Fund, and Construct Streetscape Improvements (continued from previous page)	<p>Ongoing</p> <p>Corona Del Mar Entry:</p> <ul style="list-style-type: none"> ▪ The City Council Ad Hoc Neighborhood Revitalization Committee (NRC) prioritized the preparation of the Preliminary Design of a Capital Improvement Project for beautification of the south side of East Coast Highway from Avocado Avenue to Dahlia Avenue for Fiscal Year 2011-2012. ▪ The NRC established the Corona del Mar Entry Citizen Advisory Panel (CAP) to guide the effort. Ultimately a conceptual street improvement plan was created and recommended for approval. The plan included the widening the sidewalk along the south side of Coast Highway, providing enhanced paving and landscaping, removing several street parking spaces, and moving the southbound lane drop further to the west between Avocado and MacArthur. ▪ The NRC recommended approval of the plan, and the City Council approved the concept plan in early 2012. Public Works was directed to prepare additional analysis of the changes to parking and the lane drop. ▪ After a successful test of the reconfigured lane drop conducted in 2012, the project was downsized and is being further evaluated. ▪ The future design, funding and implementation is an ongoing effort in 2013. <p>West Newport Revitalization:</p> <ul style="list-style-type: none"> ▪ The City Council Ad Hoc Neighborhood Revitalization Committee (NRC) prioritized the preparation of a preliminary design of a Capital Improvement Project for beautification of West Coast Highway from the Santa Ana River to the Arches Bridge and of Balboa Boulevard from West Coast Highway to McFadden Square. ▪ The NRC established the West Newport Citizen Advisory Panel (CAP) to guide the effort. The CAP identified keystones to the project that included the alteration of existing medians, incorporation of sustainable elements, and the addition of lush plantings to soften the look and improve the aesthetics of the area. They also expanded the area of focus to include Superior Avenue north of Coast Highway. ▪ The CAP forwarded a concept layout which included landscaping with varying heights (groundcover, shrubs and canopy trees), while minimizing hardscape. ▪ The conceptual plans were ultimately reviewed by the NRC and approved by the full City Council in early 2012. ▪ The future design, funding and implementation is an ongoing effort in 2013.

20.2	Design, Fund, and Construct Waterfront Promenade	On-hold A plan was created in 2005 for a walkway from Mariners Mile to Lido Village along Newport Harbor. However, the plan is on hold due to lack of funding.
20.3	Fund and Construct Public View Sites	Ongoing Sunset View Park is in the development plan phase and is anticipated to be finished in 2013. The park will include a half acre of landscaped area above Hoag Hospital providing a public view site.
21.1	Review and Update Harbor and Tidelands Improvement Plans	Ongoing In November 2012, the City Council approved the Tidelands Capital Plan which is a comprehensive and flexible plan of all of the goals for the harbor and tidelands. Implementation of the plan will involve review on an as needed basis.
21.2	Develop Harbor Area Management Plan (HAMP)	Complete In November 2010 the City Council approved the HAMP.
21.3	Events Management and Programs	Ongoing Chamber of Commerce, Harbor Resources, Orange County Harbor Patrol continuously work together to plan and implement special events that take place in the Harbor such as the annual Christmas Boat Parade.
21.4	Harbor Operations and Management	Ongoing A joint City/County study that evaluates the costs and efficiency of current services provided by the City and County in Newport Harbor and opportunities to realign these to reduce costs has not been conducted to date and may be prioritized in the future based on needs and funding.
22.1	Maintain and Enhance Police and Fire Facilities	Ongoing Newport Beach Police and Fire Departments annually maintain and periodically update facilities and personnel to provide a high-level of service. This process is implemented through the City's budget process. Additionally, response times are monitored and changes are proposed through the budget process. The 2012-2013 Capital Improvement Program (CIP) prioritized the renovation of the Lifeguard Headquarters and the project moved into the planning phases in 2012.

23.1	Maintain and Update Parks and Recreation Facility Plans	<p>Ongoing</p> <p>The Recreation and Senior Services Department reviews the status of the park system on an ongoing basis and improvements are recommended in the City's annual CIP program.</p>
23.2	Maintain and Improve Parks and Recreation Facilities	<p>Ongoing</p> <p>In 2012, the following accomplishments were achieved:</p> <ol style="list-style-type: none"> 1. Ongoing maintenance of existing facilities. 2. City staff worked with the Irvine Ranch Conservancy to complete multi-use trail that spans over 2.5 miles in Buck Gully. 3. Sunset Ridge Park – In 2012, the Coastal Commission approved the revised plan. Coastal Development Permit anticipated in 2013 as well as construction. This park is on east side of Superior Avenue and includes baseball/soccer fields, playground structure, restrooms, trails and viewpoint. The overall site is 13.7 acres and includes several acres of preserved habitat. 4. Marina Park - Coastal Commission has approved the application with a revision to the height of the tower scheduled for Coastal Commission in February 2013. Construction is anticipated for 2013.
23.3	Assess Recreation Needs	<p>Ongoing</p> <p>The Recreation and Senior Services Department continuously analyzes enrollment numbers in existing recreation programs and periodically initiate community surveys to assess the current needs of the community.</p>

23.4	Maintain Recreation Programs for Newport Beach's Residents	<p>Ongoing</p> <p>The Recreation and Senior Services Department provides recreation programs City-wide. The Newport Navigator is a recreation guide for all recreation programs and services provided by the City. The Newport Navigator is provided quarterly in addition to a summer issue. The Parks, Beaches, and Recreation Commission acts as an advisory capacity to City Council for all matters pertaining to parks, beaches, recreation, parkways and street trees. The following are highlights from 2012 Commission items:</p> <ol style="list-style-type: none"> 1. Reconfiguration of two Bull Pens to Batting Cages at Bob Henry Park – approved. 2. Beach Fire Rings discussion of issues & solutions – forwarded recommendation for removal to City Council for approval. 3. Newport Mesa Soccer Club request for temporary lights at Bonita Canyon Sports Park – approved.
23.5	Requirements for Residential Developers	<p>Ongoing</p> <p>Park fees are assessed for all new residential subdivisions pursuant to the Subdivision Map Act and the City's Subdivision Code.</p>
24.1	Adopt and Implement Strategic Plan for Fiscal and Economic Sustainability	<p>Ongoing</p> <p>In June 2009, the City Council updated its Strategic Plan for Fiscal and Economic Stability. The Strategic Plan is designed to serve as a work program for the City Council, City staff, and the EDC to promote and sustain fiscal and economic vitality in Newport Beach. It is intended, in part, as a companion document for the General Plan (adopted in 2006), to assist the City in implementing portions of the General Plan that affect economic development in the City. The Strategic Plan includes goals and objectives to enhance the business climate in the community and focuses on a shorter time frame (three to five years) than does the General Plan, since economic conditions and priorities can change more rapidly than do planning goals related to community character and land use patterns. The Strategic Plan calls for regular reviews of progress and re-assessments of priorities.</p>

25.1	Implement Housing Element Programs	<p>Ongoing</p> <p>The City continuously implements Housing Element Programs through the review of proposed residential projects. Additionally, in July 2012, City Council approved Newport Place (PC-11) Planned Community Amendment to allow affordable residential projects that met certain criteria pursuant to Housing Element Program 3.2.2. All other programs are reviewed in attached Housing Element Progress Report which is provided as a part of the Annual General Plan Status Report.</p>
26.1	Enforce Codes and Ordinances	<p>Ongoing</p> <p>The City continuously enforces all Municipal Code Sections including but not limited to health and safety, and zoning to implement the General Plan primarily on a complaint-driven basis. The City successfully instituted a proactive enforcement program in Balboa Village to address property maintenance issues and landscaping.</p>
27.1	Seismic Compliance	<p>Ongoing</p> <p>The City continuously implements Municipal Code and the California Building Code through the Building Division which requires seismic retrofitting and strengthening to minimize damage in the event of a seismic or geologic hazard.</p>
28.1	Maintain Hazards Data Base	<p>Ongoing</p> <p>The Police Department maintains a crime statistics database to keep track of the type and occurrence of criminal activities. The Fire Department relies on the Disaster Preparedness Division under the City's Emergency Management Program (see Program 28.2 and 29.1 below) for the planning of facilities, personnel assignments, and emergency response programs as related to natural hazards. Additionally, the City maintains hazard information in its Geographic Information System (GIS).</p>

28.2	Maintain Emergency Preparedness, Response, and Recovery Programs	<p>Ongoing</p> <p>The City's Emergency Preparedness Committee (EPC) which is comprised of representatives from each department met monthly. The EPC works collaboratively to plan, train and address all city emergency management threats.</p> <p>In June, the annual 800 MHz radio drill was performed. The radio drill included employees from police, fire, public works, community development, and municipal operations. The primary objective of the drill was to practice emergency operations during the failure of the county's 800 MHz's system. The city has conducted this drill for the past four years.</p> <p>On October 18 of 2012, the City-wide Emergency Operations Center (EOC) drill was held. The scenario of the drill was an active shooter at the Fashion Island mall. The drill included representatives from all departments as well all numerous outside agencies and businesses.</p>
29.1	Educate the Community	<p>Ongoing</p> <ol style="list-style-type: none"> 1. The City continuously educates the community through its various City Departments on services, programs and key issues including land use zoning and development processes; development fees; code compliance; property and building maintenance and improvement techniques; financial assistance and affordable housing programs, public transportation; ride-sharing, energy conservation methods, waste reduction and recycling programs; hazards and emergency/disaster preparedness, evacuation, and response protocols and procedures; natural resources and their value; educational and cultural events and venues; parks and recreation, health and safety, and seniors and youth programs; and access to government services and elected officials. 2. The City's webpage was revamped to include easily accessible, up-to-date information on all of the aforementioned services, programs, key issues and current projects. The new web page includes a "Newsplash" tool. This tool gives the community the ability to sign-up to receive automated emails regarding news or updated information related to certain topics including all of the aforementioned. 3. The Disaster Preparedness Division implements several community outreach programs as they relate to emergency and disaster preparedness including AlertOC, which is a mass notification calling system for staff, residents, and businesses, The Community Emergency Response Team (CERT) program to certify residents as Disaster Service Workers, School Emergency Response Team (SERT) training sessions in public schools and private schools, and Business Emergency Response Team training sessions

29.2	Support of the Arts, Culture, and Historic Resources	<p>Ongoing</p> <p>The City Arts Commission acts in an advisory capacity to the City Council in all matters pertaining to artistic, aesthetic and cultural aspects of the City. The City Arts Commission also recommends to the City Council the adoption of such ordinances, rules and regulations as it may deem necessary for the administration and preservation of fine arts, performing arts, historical, aesthetic and cultural aspects of the community. The following is an update on implementation in 2012:</p> <ol style="list-style-type: none"> 1. Concerts in the Parks – the 2012 series marked its twelfth year with performances by The Bracken Band on July 22 at Bob Henry Park and The U.K. Beat at Bonita Canyon Sports Park on August 5. Both concerts brought full-capacity crowds. 2. Shakespeare in the Park – the 2012 series marked its eleventh year with the presentation of “Romeo and Juliet” on July 7 and “Two Gentlemen of Verona” on July 8. The estimated attendance over the two day period was 3,500-4,000 people. 3. Cultural Arts budget – the City Council approved an additional \$5,000 per year to fund two museum tours per year. 4. Civic Center – discussion and consideration of public art for display in the park and buildings. 5. Continuously reviewed review artist’s applications for possible future art exhibitions at Central Library and City Hall.
29.3	Support Community Environmental and Recreation Initiatives	<p>Ongoing</p> <p>The City supports any private groups’ efforts to acquire property to improve access to the anticipated development of the Orange Coast River Park. The City has also supported the Banning Ranch Conservancy’s efforts to acquire the Banning Ranch property to preserve it as open space; however, no agreement to acquire the site was forthcoming. In July 2012, the City approved the Newport Banning Ranch Planned Community Development Plan for development of the 401 acre site with 1,375 residential dwelling units, a 75-room resort inn and ancillary resort uses, 75,000 square feet of commercial uses. Approximately 51.4 gross acres of the site will be devoted to parklands and approximately 252.3 gross acres (63%) will be devoted to permanent open space. The project will require the approval of a coastal development permit by the California Coastal Commission. Newport Banning Ranch LLC submitted their application to the California Coastal Commission in January 2013, and the review by Coastal Commission and their staff is expected to take between one to three years.</p>

30.1	Maintain Annual Budgets for City Services and Improvements	<p>Ongoing</p> <p>Annual budgets are maintained and reviewed by City Council annually. A Capital Improvement Plan (CIP) is included in the annual budget approved by City Council each year. In June 2012 the City Council approved the budget and CIP.</p>
30.2	Administer Impact and User Fees (a. Development Impact Fees, b. Park Dedication Fees, and in-lieu fees, and c. Tideland Revenue Fees)	<p>Ongoing</p> <ol style="list-style-type: none"> 1. Development impact fees including fair share traffic fees are assessed for each development project. The completion of updating the Fair Share Traffic fee has been put on hold (see Program 7.2). 2. Park dedication fees and housing in-lieu fees are assessed on a project by project basis pursuant to the Subdivision Code. The Park dedication fee which was updated in 2007, is required to keep current with property appreciation, and said fair market value per acre shall be reviewed and adjusted, if necessary, at least every three (3) years. 3. Fees for related to mooring of vessels and commercial docks were reviewed and updated in 2011 and 2012.
31.1	Consider the Establishment of Community Facilities and Special Assessment Districts	<p>Ongoing</p> <p>The needs assessment for the reuse of the City's Corporation Yard (located at 592 Superior Avenue) and the Utility Yard (located at 949 W. 16th Street) was completed in February 2012. Staff continues to review that report and is making plans to implement some of the recommendations. Staff also continues to review the conceptual plan for the relocation of the City's Police Department and the development of a consolidated West Newport Community Center. Further advancement of these concepts will rely on City Council direction regarding the disposition of the City's refuge program. In addition, we continue to explore potential alternative locations for the replacement of Fire Station No. 2 (located adjacent to City Hall) to allow for a more efficient reuse of the current City Hall complex. Based upon the required lead times and permit processing for the future lifeguard facilities replacements, staff is moving forward with an interim plan to remodel the existing Lifeguard Headquarters at the Newport Pier. The interim plan will improve the efficiency of existing space and provide for an interim space for Junior Lifeguard programs.</p>



CITY OF NEWPORT BEACH
GENERAL PLAN ANNUAL STATUS REPORT
Housing Element Report
2012 Calendar Year

As required by Government Code Sections 65583 and 65584, the Housing Element Report demonstrates the City's progress in meeting its share of regional housing needs and Housing Element programs. As mandated by Government Code Section 65400, this report was prepared to be consistent with guidelines provided by the Department of Housing and Community Development (HCD).

The Housing Element Report includes the following information:

- A. Annual building activity reports for new housing units;
- B. Regional housing needs allocation progress; and
- C. Program implementation status including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing.

A. Annual Building Activity Reports for New Housing Units

Data from the Newport Beach Building Division "Building Activity Report" was used to prepare the following table, illustrating the number of permits issued for construction of new housing units and for demolished housing units in calendar year 2012:

PERMITS ISSUED FOR HOUSING UNITS 2012			
CALENDAR YEAR	NEW UNITS	DEMOLISHED UNITS	NET INCREASE IN UNITS
2012	89	87	2

ANNUAL BUILDING ACTIVITY REPORT FOR MODERATE INCOME UNITS 2012							
	1. SINGLE FAMILY	2. 2-4 UNITS	3. 5+ UNITS	4. SECOND UNIT	5. MOBILE HOMES	6. TOTAL	7. INFILL UNITS
NO. OF UNITS PERMITTED FOR MODERATE	0	0	0	0	0	0	0
NO. OF UNITS PERMITTED FOR ABOVE MODERATE	69	10 (2-UNIT PROJECTS) = 20 TOTAL UNITS	0	0	0	89	87

B. REGIONAL HOUSING NEEDS ALLOCATION PROGRESS

The Southern California Association of Governments (SCAG) prepared a Regional Housing Needs Allocation (RHNA) to identify the housing needs for each jurisdiction within the SCAG region. SCAG, through the RHNA process, assigned Newport Beach a share of the region's new housing units that should be constructed in the 2006-2014 planning period to satisfy housing needs resulting from projected growth in the region. To accommodate projected growth in the region, SCAG determined the City's share of RHNA to be 1,769 new dwelling units.

The table below summarizes the City's share of RHNA for new housing construction, for households at different income levels, and for the 2006-2014 Planning Period. Pursuant to HCD guidelines, it includes a carryover of the unaccommodated portion of the 2000-2005 RHNA allocation of 145 units.

TOTAL RHNA CONSTRUCTION NEED BY INCOME 2006-2014				
VERY LOW	LOW	MODERATE	ABOVE MODERATE	TOTAL
451	319	442	702	1,914
24%	17%	23%	36%	100%

CITY'S PROGRESS IN MEETING IT'S SHARE OF RHNA FOR PERIOD 2006-2014					
	VERY LOW	LOW	MODERATE	ABOVE MODERATE	TOTAL
PROJECTED NEED	451	319	442	702	1,914
NEW UNITS PERMITTED (06')	0	0	0	209	209
NEW UNITS PERMITTED (07')	0	0	0	228	228
NEW UNITS PERMITTED (08')	0	0	0	131	131
NEW UNITS PERMITTED (09')	0	0	0	46	46
NEW UNITS PERMITTED (10')	0	0	0	38	38
NEW UNITS PERMITTED (11')	0	0	0	13	13
NEW UNITS PERMITTED (12')	0	0	0	13	13
REMAINING NEED	451	319	442	24	1,236

C. PROGRAM IMPLEMENTATION STATUS/ LOCAL EFFORTS TO REMOVE GOVERNMENTAL CONSTRAINTS

The 2008-2014 Housing Element update was completed and adopted by City Council in November 2011. On December 29, 2011, the City received a final letter from HCD finding full compliance with state housing element law. The following chart provides the status of the current housing programs provided in the adopted 2008-2014 Housing Element:

PROGRAM		STATUS
1.1.1	Improve housing quality and prevent deterioration of existing neighborhoods by strictly enforcing building code regulations and abating code violations and nuisances.	<p>Ongoing</p> <p>The building inspectors and code enforcement officers continually enforce code regulations and abate violations and nuisances. A quarterly report on code enforcement activities is available and kept on file at the City.</p>
1.1.2	Participate with the Orange County Housing Authority (OCHA) and Housing and Community Development Division in their administration of rehabilitation loans and grants for low- and moderate-income homeowners and rental property owners to encourage preservation of existing City housing stock.	<p>Ongoing</p> <p>City staff attends OCHA's Cities Advisory Committee meetings to keep up to date on rehabilitation programs offered by the County in order to inform homeowners and rental property owners within the City of opportunities and to encourage preservation of existing housing stock.</p>

PROGRAM		STATUS
1.1.3	Require replacement of housing demolished within the Coastal Zone when housing is or has been occupied by very-low, low-, and moderate-income households within the preceding 12 months. The City shall prohibit demolition unless a Coastal Residential Development (CRDP) Permit has been issued. The specific provisions implementing replacement unit requirements are contained in the Municipal Code.	<p>Ongoing</p> <p>The City uses Chapter 20.34 "Conversion or Demolition of Affordable Housing" by monitoring demo requests and permits. No CRDP's were issued in 2012.</p>
2.1.1	Maintain rental opportunities by restricting conversions of rental units to condominiums unless the vacancy rate in Newport Beach for rental housing is an average 5 percent or higher for four (4) consecutive quarters, and unless the property owner complies with condominium conversion regulations contained in Chapter 19.64 of the Newport Beach Municipal Code.	<p>Ongoing</p> <p>A vacancy rate survey is completed every quarter to monitor consistency with this policy. The results of the surveys conducted for the 2012 calendar year provided an average vacancy rate higher than 5 percent therefore, conversions are not restricted.</p>
2.1.2	Take all feasible actions, through use of development agreements, expedited development review, and expedited processing of grading, building and other development permits, to ensure expedient construction and occupancy for projects approved with low- and moderate-income housing requirements.	<p>Ongoing</p> <p>Pending applications which include affordable housing will be expedited.</p>

PROGRAM		STATUS
2.1.3	Participate with the County of Orange in the issuance of tax-exempt mortgage revenue bonds to facilitate and assist in financing, development and construction of housing affordable to low and moderate-income households.	<p>Ongoing</p> <p>The issuance of tax-exempt mortgage revenue bonds is project driven, and the developer typically applies for the bonds. No applications were received.</p>
2.1.4	Conduct an annual compliance-monitoring program for units required to be occupied by very low-, low-, and moderate-income households.	<p>Ongoing</p> <p>Annual compliance monitoring has been conducted and the report for the City's income and rent restricted units is in process by LDM Associates (consultant). Pending review for one affordable housing project, monitoring will be complete for 2012 by Spring 2013.</p>
2.1.5	Provide entitlement assistance, expedited entitlement processing, and waive application processing fees for developments in which 5 percent of units are affordable to extremely low-income households. To be eligible for a fee waiver, the units shall be subject to an affordability covenant for a minimum duration of 30 years. The affordable units provided shall be granted a waiver of park in-lieu fees (if applicable) and traffic fairshare fees.	<p>Ongoing</p> <p>Implement as projects are submitted and no new projects were proposed.</p>
2.1.6	Affordable housing developments providing units affordable to extremely low-income households shall be given the highest priority for use of Affordable Housing Fund monies.	<p>Ongoing</p> <p>Implement as projects are submitted and no new projects were proposed.</p>

PROGRAM		STATUS
2.2.1	<p>Require a proportion of affordable housing in new residential developments or levy an in-lieu fee. The City's goal over the five-year planning period is for an average of 15 percent of all new housing units to be affordable to very low-, low-, and moderate-income households. The City shall either (a) require the payment of an in-lieu fee, or (b) require the preparation of an Affordable Housing Implementation Plan (AHIP) that specifies how the development will meet the City's affordable housing goal, depending on the following criteria for project size:</p> <ol style="list-style-type: none"> 1. Projects of 50 or fewer units shall have the option of preparing an AHIP or paying the in-lieu fee. 2. Projects where more than 50 units are proposed shall be required to prepare an AHIP. <p>Implementation of this program will occur in conjunction with City approval of any residential discretionary permits or Tentative Tract Maps. To insure compliance with the 15 percent affordability requirements, the City will include conditions in the approval of discretionary permits and Tentative Tract Maps to require ongoing monitoring of those projects.</p>	<p>Ongoing</p> <p>The affordable housing balance was approximately \$2.2 million at the end of 2012.</p> <p>Four AHIPS were approved or in process in 2012:</p> <ol style="list-style-type: none"> 1. Santa Barbara Condominiums (79 units) - AHIP amended February 2012 to require the payment of in-lieu housing fee in the amount of \$1.2 million. Payment of the fee is due upon issuance of building permits for the project (anticipated in 2013). 2. North Newport Center Planned Community Development Plan (524 units) - AHIP amended July 2012 to require the recordation of affordability covenants on existing market-rate rental units to maintain rents affordable for a period of 30 years to either 52 very low-, 79 low-, or 105 moderate-income households, or a combination of units. Affordable housing agreements to be recorded based on phased schedule in conjunction with the issue of certificates of occupancy for the market-rate units in the project (anticipated 2014/2015). 3. Banning Ranch (1,375 units) - AHIP approved July 23, 2012 (pending Coastal Commission approval), which includes a requirement that 15 percent of the units be affordable to either very low, low-, or moderate-income households. A minimum of 50 percent must be constructed onsite, with alternative development options for the other 50 percent. Units must remain affordable for 30 years. 4. Uptown Newport (922 units + 322 density bonus units) - AHIP anticipated approval March 2013, requires that either 11 percent (101 units) of the units be rented at very low-income rates or 20 percent (184 units) of the units at low-income rates. Units must remain affordable for a period of 30 years. Alternatively, 40 percent (368 units) of the units may be sold at an affordable price for moderate-income households.

PROGRAM		STATUS
2.2.2	Periodically review the City's Inclusionary Housing In-lieu fees to ensure it is adequate to support the development of affordable projects.	<p>Ongoing</p> <p>The City's Inclusionary Housing in-lieu fees have been adjusted annually based on change in new home prices. Since its formal adoption in 2010, the initial \$18,500 in-lieu fee amount has fluctuated as follows: 2011: \$20,554 2012: \$20,513</p>
2.2.3	Develop a brochure of incentives offered by the City for the development of affordable housing including fee waivers, expedited processing, Inclusionary Housing requirements, and density bonuses and other incentives. Provide a copy of this brochure at the Planning Counter, the website and also provide a copy to potential developers.	<p>Complete</p> <p>Brochure is complete and is provided on the City website and in the public lobby. Brochure will be periodically reviewed to ensure information is up to date.</p>
2.2.4	The City shall provide more assistance for projects that provide a higher number of affordable units or a greater level of affordability. At least 15 percent of units shall be affordable when assistance is provided from Community Development Block Grant funds or the City's Affordable Housing Fund.	<p>Ongoing</p> <p>The City will provide financial assistance based on a project by project analysis, depending on need and overall project merits. There were no qualified projects in 2012.</p>
2.2.5	For new developments proposed in the Coastal Zone areas of the City, the City shall follow Government Code Section 65590 and Title 20.	<p>Ongoing</p> <p>The City uses Chapter 20.34 "Conversion or Demolition of Affordable Housing" by monitoring demo requests and permits. No CRDPs were issued in 2012.</p>

PROGRAM		STATUS
2.2.6	All required affordable units shall have restrictions to maintain their affordability for a minimum of 30 years.	<p>Ongoing</p> <p>Staff continues to include this affordability restriction as a standard condition on all affordable housing projects, unless an otherwise longer affordability covenant is agreed upon.</p> <p>The City advises affordable housing developers that all affordable units are restricted to a minimum 30-year time period. The Newport Banning Ranch, North Newport Center, and Uptown Newport (anticipated approval in March 2013) AHIP's include a 30-year affordability restriction.</p>
2.2.7	Advise and educate existing landowners and prospective developers of affordable housing development opportunities available within the Banning Ranch, Airport Area, Newport Mesa, Newport Center, Mariners' Mile, West Newport Highway, and Balboa Peninsula areas.	<p>Ongoing</p> <p>A brochure has been created and distributed that outlines development incentives and entitlement assistance available in the City. The brochure is maintained at the public counter and on the City website.</p> <p>In 2012, City staff assisted developers with the preparation of the four AHIPs: two in Newport Center (North Newport Center and Santa Barbara Condos), Banning Ranch, and Uptown Newport (Airport Area anticipated approval in March 2013). Uptown Newport includes provisions for providing additional affordable units beyond the City's minimum inclusionary housing requirements in order to obtain a density bonus.</p>
2.2.8	Participate in other programs that assist production of housing.	<p>Ongoing</p> <p>City staff attends OCHA Cities Advisory Committee meetings to keep up-to-date with programs that assist in the production of housing.</p> <p>Staff informs developers of programs that are available to assist in the production of housing for all income levels.</p>

PROGRAM		STATUS
2.2.9	New developments that provide housing for lower-income households that help meet regional needs shall have priority for the provision of available and future resources or services, including water and sewer supply and services.	<p>Ongoing</p> <p>The City has provided a copy of the Housing Element to water and sewer service providers. Pursuant to state law, water and sewer providers must grant priority to developments that include housing units affordable to lower income households.</p>
2.2.10	Implement Chapter 20.32 (Density Bonus) of the Zoning Code and educate interested developers about the benefits of density bonuses and related incentives for the development of housing that is affordable to very low-, low-, and moderate-income households and senior citizens.	<p>Ongoing</p> <p>Implement as projects are submitted. Density Bonus information and incentives are included in an informational brochure for the public.</p> <p>Ongoing</p> <p>The Uptown Newport AHIP that is anticipated to be approved in March 2013 includes provisions for providing additional affordable units beyond the City's minimum inclusionary housing requirements in order to obtain a density bonus. Of the 1,244 units approved, 322 units resulted from a density bonus.</p>
2.2.11	Monitor the impact of Housing Program 2.2.1 and the City's Inclusionary Housing Ordinance on the overall production of housing within the City. Considerations shall include whether the inclusionary program results in cost shifting where the costs of subsidizing the affordable units is underwritten by the purchasers of market-rate units in the form of higher prices.	<p>Ongoing</p> <p>Due to the recession and overall decline of housing production during the last planning period, staff has been unable to assess the effects of the City's Inclusionary Housing requirements on housing production. However, in one case where the inclusionary housing requirement proved infeasible for the Santa Barbara Condominiums project, the City amended the AHIP in 2012 for the project to allow the payment of an in-lieu fee instead of the 79 units.</p>

PROGRAM		STATUS
2.3.1	Study housing impacts of proposed major commercial/industrial projects during the development review process. Prior to project approval, a housing impact assessment shall be developed by the City with the active involvement of the developer. Such assessment shall indicate the magnitude of jobs to be created by the project, where housing opportunities are expected to be available, and what measures (public and private) are requisite, if any, to ensure an adequate supply of housing for the projected labor force of the project and for any restrictions on development due to the "Charter Section 423" initiative.	<p>Ongoing</p> <p>In conjunction with the environmental review required under the California Environmental Quality Act (CEQA), potential impacts to population, housing, and employment is reviewed and analyzed. Recent development trends have consisted of redevelopment of commercial and industrial sites for residential development or mixed-use, which have created new housing opportunities in the City. No major projects in 2012.</p>
3.1.1	Provide a streamlined "fast-track" development review process for proposed affordable housing developments.	<p>Ongoing</p> <p>The City will prioritize the development review process for all affordable housing projects. No projects were proposed in 2012. When Banning Ranch and Uptown Newport affordable units are submitted for processing they will be provided a "fast track" plan check.</p>
3.1.2	When a residential developer agrees to construct housing for persons and families of very low, low and moderate income above mandated requirements, the City shall either (1) grant a density bonus as required by state law, or (2) provide other incentives of equivalent financial value.	<p>Ongoing</p> <p>The City considers density bonuses and other incentives on a project-by-project basis. Chapter 20.32 Density Bonus is included in the Zoning Code and is implemented as projects are submitted. A density bonus has been granted to the Uptown Newport project, anticipated approval in March 2013, in the Airport Area. Of the 1,244 housing units approved in the project, 322 of the units are a result of the density bonus.</p>

PROGRAM		STATUS
3.1.3	Review and consider in accordance with state law, the waiver of planning and park fees, and modification of development standards, (e.g., setbacks, lot coverage, etc.) at the discretion of City Council and Planning Commission for developments containing very low, low- and moderate-income housing in proportion to the number of low- and moderate-income units in each entire project.	<i>Ongoing</i> Waivers and incentives are considered by the Planning Commission and City Council on a project-by-project basis. No waivers or incentives were granted during the 2012 calendar year.

PROGRAM		STATUS
3.1.4	<p>The City will encourage and facilitate residential and mixed-use development on vacant and underdeveloped sites listed in Appendix H4 by providing technical assistance to interested developers with site identification and entitlement processing. The City will support developers funding applications from other agencies and programs. The City will post the Sites Analysis and Inventory on the City's webpage and marketing materials for residential and mixed-use opportunity sites, and will equally encourage and market the sites for both for-sale development and rental development. To encourage the development of affordable housing within residential and mixed-use developments, the City shall educate developers of the benefits of density bonuses and related incentives identify potential funding opportunities, offer expedited entitlement processing, and offer fee waivers and/or deferrals.</p>	<p>Ongoing</p> <p>Appendix H4 is the Sites Analysis and Inventory which identifies sites that can be developed for housing within the planning period and that are sufficient to provide for the City's share of the regional housing need allocation to provide realistic opportunities for the provision of housing to all income segments within the community. Appendix H4 can be found in the Housing Element available at the Planning Division or online at http://www.newportbeachca.gov/index.aspx?page=173</p> <p>The City has completed the following:</p> <ol style="list-style-type: none"> 1. A user-friendly Sites Analysis and Inventory is on the City's website. 2. A brochure is available on the web and in the public lobby that promotes the incentives and opportunities for affordable housing projects, which includes information of the City's Sites Analysis and Inventory. 3. A layer and note has been added in the City's Geographic Information System (GIS) to identify sites within the inventory to assist staff in providing information to interested developers. <p>The City will encourage density bonus and offer incentives to interested developers.</p>

PROGRAM		STATUS
3.1.5	<p>The City will monitor and evaluate the development of vacant and underdeveloped parcels on an annual basis and report the success of strategies to encourage residential development in its Annual Progress Reports required pursuant to Government Code 65400. If identified strategies are not successful in generating development interest, the City will respond to market conditions and will revise or add additional incentives.</p>	<p>Ongoing</p> <p>During 2012 the City's strategies for encouraging the development of identified vacant and underutilized sites are proving successful. The City has approved development projects for the three vacant sites identified in the Sites Inventory and Analysis: 1. Banning Ranch site was approved for the development on July 23, 2012 and would include the development of a maximum of 1,375 residential units, the development will require California Coastal Commission approval also; 2. San Miguel site was approved for the development of four single-unit dwelling in September of 2010 and construction of the units was completed in January of 2013; 3. Corona del Mar site had an anticipated approval for the development of six detached residential condominiums units in January 2013.</p> <p>The City has also approved two significant projects on sites identified as underutilized: In 2012, the City adopted an amendment to the North Newport Center Planned Community and development agreement to allow for the total construction of up to 524 residential units within the San Joaquin Plaza sub-area, these units are anticipated to be constructed in 2014/2015; Uptown Newport, anticipated to be approved in March 2013, includes the development of 1,244 residential dwelling units. The Newport Bay Marina project was identified as an underutilized site The project was approved by the City in 2007 and the Coastal Commission in 2009, and permitted the development of 27 residential condominium units and 36,000 SF of commercial. Building permits were issued in 2012 and construction is anticipated to be completed in 2014.</p>

PROGRAM		STATUS
3.2.1	<p>When requested by property owners, the City shall approve rezoning of developed or vacant property from nonresidential to residential uses when appropriate. These rezoned properties shall be added to the list of sites for residential development.</p>	<p>Ongoing</p> <p>The City continually monitors requests for zone changes of vacant and developed properties from nonresidential to residential and approves when determined to be compatible and feasible. When approved, these sites are mapped for residential uses on both the zoning district map and General Plan Land Use Map.</p> <p>In 2012, the City adopted an amendment to the North Newport Center Planned Community and approved an additional 79 residential units for construction with North Newport Center. The units were created as a result of the conversion and transfer of 79 un-built hotel units from the Newport Beach Marriot site in Newport Center. As a result of the amendment, the Development Plan now allows for the total construction of up to 524 residential units within the San Joaquin Plaza sub-area.</p>

PROGRAM		STATUS
3.2.2	<p>Recognizing that General Plan Policy LU6.15.6 may result in a potential constraint to the development of affordable housing in the Airport Area, the City shall amend the General Plan and/or establish a waiver or exception to the minimum 10-acre site requirement. It is recognized that allowing a smaller scale development within an established commercial and industrial area may result in land use compatibility problems and result in a residential development that does not provide sufficient amenities (i.e. parks) and/or necessary improvements (i.e. pedestrian walkways). Therefore, it is imperative that the proposed waiver include provisions for adequate amenities, design considerations for the future integration into a larger residential village, and a requirement to ensure collaboration with future developers in the area.</p>	<p>Complete</p> <p>This program has been implemented with the adoption of Ordinance No. 2012-14 that amended the Newport Place Planned Community (PC11) to allow residential development that includes a minimum of 30 percent of the units affordable to lower-income households and also created a waiver to the 10-acre site requirement for such projects. The remaining properties in the Airport Area, (Koll Center and Uptown Newport [formerly referred to as Conexent]) are larger than 10 acres and are not constrained by the minimum 10-acre requirement. The parcels owned by Koll total 25 acres and the parcels owned by Uptown Newport total 26.9 acres.</p>

PROGRAM		STATUS
3.2.3	<p>The City shall amend the Newport Place (PC 11) and Koll Center (PC 15) Planned Community texts to allow residential developments that include: 1) a minimum of 30 percent of the units affordable to lower-income households; and 2) densities between 30 du/acre and 50 du/acre consistent with the MU-H2 General Plan land use designation and policies for the Airport Area. It is recognized that adding residential as a permitted use where it was not allowed previously might require additional design attention to integrate uses. Therefore, the Planned Community Amendments will add residential uses as permitted by right subject to a site plan review to ensure integration within the existing area.</p> <p>The City will monitor commercial redevelopment within the Airport Area to ensure sufficient residential capacity remains to accommodate the City's RHNA for lower-income households. Should residential capacity be reduced to a level that cannot accommodate the City's remaining need for lower-income households citywide, the City will identify and zone, if necessary, sufficient sites in an alternative location to accommodate the City's RHNA.</p>	<p>Complete</p> <p>On July 24, 2012, The Newport Place PC was amended to establish a residential development overlay where multi-unit residential developments, which include a minimum of 30 percent of the units affordable to lower-income households, are permitted subject to site development review. The Housing Element Sites Inventory and Analysis identified a realistic residential development capacity of 880 units within the boundaries of Newport Place PC at a minimum density of 30 du/ac. At the maximum density of 50 du/ac (excluding the potential for density bonus), these sites would have the potential development capacity of 1,467 units. Both of these development capacities well exceed the City's identified lower-income housing need of 770 units.</p> <p>With anticipated approval in March 2013, Uptown Newport Planned Community was created (formally a part of the Koll Center Planned Community) to specifically serve as zoning document for the construction of up to 1,244 residential units, 11,500 square feet of retail commercial, and 2.05 acres of park space. Residential development is a permitted use subject to site development review. The Uptown Newport PC requires densities between 30 du/acre and 50 du/acre, consistent with the densities of the General Plan, and allows additional density opportunities with a density bonus. The Koll Center Planned Community will also be amended to remove the properties now regulated by the new Uptown Newport Planned Community.</p> <p>With the adoption of the Uptown Newport Project and PC, combined with the Newport Place PC Amendment, the City would have zoning in place that greatly exceeds the lower-income housing need of 770 units. Newport Place PC was identified with a realistic development potential of 880 units and Uptown Newport Project is anticipated to be approved for up to 924 units (1,244 units with requested density bonus); combined, the realistic development capacity for properties in the Airport Area with appropriate zoning in place would be 1,694 units (2,124 units with the density bonus).</p>

PROGRAM		STATUS
4.1.1	Annually contact owners of affordable units for those developments listed in Table H12 as part of the City's annual monitoring of affordable housing agreements to obtain information regarding their plans for continuing affordability on their properties and to encourage the extension of the affordability agreements for the developments listed in Table H12 beyond the years noted.	<p>Ongoing</p> <p>Staff maintains an updated contact list for affordable units in conjunction with the 2008-2014 Housing Element. LDM Associates (consultant) works with staff to include this in the annual monitoring.</p>
4.1.2	The City shall register as a Qualified Preservation Entity with HCD to ensure that the City will receive notices from all owners intending to opt out of their Section 8 contracts and/or prepay their HUD insured mortgages. Upon receiving notice that a property owner of an existing affordable housing development intends to convert the units to a market-rate development, the City shall consult with the property owners and potential preservation organizations regarding the potential use of CDBG funds and/or Affordable Housing Fund monies to maintain affordable housing opportunities in those developments listed in Table H12 or assist in the non-profit acquisition of the units to ensure long-term affordability.	<p>Ongoing</p> <p>The City registered the City of Newport Beach as a Qualified Preservation Entity with HCD in 2012. When notification is received by the City staff will evaluate the potential use of monies to preserve the affordable units.</p>

PROGRAM		STATUS
4.1.3	Continue to maintain information on the City's website and prepare written communication for tenants and other interested parties about Orange County Housing Authority Section 8 opportunities to assist tenants and prospective tenants to acquire additional understanding of housing law and related policy issues.	<p>Ongoing</p> <p>Pamphlets informing prospective tenants and landlords about the OCHA Section 8 program have been made available in the public lobby and information is posted on the City website.</p>
4.1.4	Investigate availability of federal, state, and local programs (including in-lieu funds) and pursue these programs if found feasible, for the preservation of existing low-income housing, especially for preservation of low-income housing that may increase to market rates during the next ten years. A list of these programs, including sources and funding amounts, will be identified as part of this program and maintained on an on-going basis.	<p>Ongoing</p> <p>The City attends OCHA meetings and has continued to investigate available programs and evaluate the feasibility of participating in such programs.</p>

PROGRAM		STATUS
4.1.5	<p>The City shall inform and educate owners of affordable units of the State Preservation Notice Law (Government Code Section 65863.10-13), if applicable. Pursuant to the law, owners of government-assisted projects cannot terminate subsidy contract, prepay a federally-assisted mortgage, or discontinue use restrictions without first providing an exclusive Notice of Opportunity to Submit an Offer to Purchase. Owners proposing to sell or otherwise dispose of a property at any time during the five years prior to the expiration of restrictions must provide this Notice at least 12 months in advance unless such sale or disposition would result in preserving the restrictions. The intent of the law is to give tenants sufficient time to understand and prepare for potential rent increases, as well as to provide local governments and potential preservation buyers with an opportunity to develop a plan to preserve the property. This plan typically consists of convincing the owner to either (a) retain the rental restrictions in exchange for additional financial incentives or (b) sell to a preservation buyer at fair market value.</p>	<p>Ongoing</p> <p>Staff worked with LDM Associates (consultant) to create a notice to go out with the annual monitoring. Additional research is required to verify the law is compliant with existing older affordability covenants and completion is anticipated in Spring 2013.</p>

PROGRAM		STATUS
4.2.1	Investigate the use of federal funds to provide technical and financial assistance, if necessary, to all eligible homeowners and residential rental property owners to rehabilitate existing dwelling units through low-interest loans or potential loans, or grants to very low-, low- and moderate-income, owner-occupants of residential properties to rehabilitate existing units.	<p>Ongoing</p> <p>The City continued to investigate available programs and evaluate the feasibility of participating in such programs. No funds were approved for rehabilitation projects in 2012.</p>
4.2.2	In accordance with Government Code Section 65863.7, require a relocation impact report as a prerequisite for the closure or conversion of an existing mobile home park.	<p>Ongoing</p> <p>Consistent with state law, a detailed relocation impact report is a requirement for the permit for proposed closures or conversions. There were no closures or conversions in 2012.</p>
4.2.3	Should need arise, consider using a portion of its Community Development Block Grant funds for establishment and implementation of an emergency home repair program. Energy efficient products shall be required whenever appropriate.	<p>Ongoing</p> <p>Continuously monitor requests for assistance and Code Enforcement quarterly reports to determine need. No projects in 2012.</p>

PROGRAM		STATUS
4.2.4	<p>Participate as a member of the Orange County Housing Authority Advisory Committee and work in cooperation with the Orange County Housing Authority to provide Section 8 Rental Housing Assistance to residents of the community. The City shall, in cooperation with the Housing Authority, recommend and request use of modified fair market rent limits to increase number of housing units within the City that will be eligible to participate in the program. The Newport Beach Planning Division shall prepare and implement a publicity program to educate and encourage landlords within the City to rent their units to Section 8 Certificate holders and to make very low-income households aware of availability of the Section 8 Rental Housing Assistance Program.</p>	<p>Ongoing</p> <p>Staff attends the quarterly meetings of the OCHA Cities Advisory Committee.</p> <p>Staff continually works in cooperation with the County to provide Section 8 rental housing assistance to residents.</p> <p>A link to the Orange County Housing Authority website has been placed on the City website to provide information on the Section 8 program.</p>
4.2.5	<p>Developers that choose to meet the inclusionary housing requirements of Housing Program 2.2.1 through the renovation and conversion of existing off-site units in the City to affordable units shall be required to substantially renovate and improve the livability and aesthetics of the units for the duration of the affordability period and include energy conserving retrofits that will contribute to reduced housing costs for future occupants of the units.</p>	<p>Ongoing</p> <p>No projects were submitted in 2012.</p>

PROGRAM		STATUS
4.2.6	Implement and enforce the recently adopted Water Efficient Landscape Ordinance and Landscape and Irrigation Design Standards in compliance with AB 1881 (2006). The ordinance establishes standards for planning, designing, installing, and maintaining and managing water-efficient landscapes in new construction and rehabilitated projects.	<p>Ongoing</p> <p>Continuously implemented as housing projects are submitted (Chapter 14.17 of the Newport Beach Municipal Code).</p>
4.2.7	Affordable housing developments that receive City assistance from Community Development Block Grant funds or from the City's Affordable Housing Fund shall be required, to the extent feasible, include installation of energy efficient appliances and devices, and water conserving fixtures that will contribute to reduced housing costs for future occupants of the units.	<p>Ongoing</p> <p>No projects were submitted in 2012.</p>
4.2.8	Investigate the feasibility and benefits of using a portion of its Community Development Block Grant funds for the establishment and implementation of an energy conserving home improvements program for lower-income homeowners.	<p>Pending</p> <p>Staff continues investigating possible programs.</p>
4.2.9	Establish a process for LEED certified staff members to provide development assistance to project proponents seeking LEED certification, which will in turn increase the LEED points granted to projects.	<p>Ongoing</p> <p>The City presently has one LEED accredited staff member who will provide technical assistance when requested.</p>

PROGRAM		STATUS
4.2.10	To encourage voluntary green building action, the City will institute a green recognition program that may include public recognition of LEED certified buildings, payment of a display advertisement in the local newspaper recognizing the achievements of a project, or developing a City plaque that will be granted to exceptional developments.	<p>Ongoing</p> <p>The City presently has one LEED accredited staff member who will provide technical assistance when requested.</p> <p>The City continues to work on a recognition program with a website that includes the identification and showcase of LEED certified residential projects in the City. The website will be completed in Spring 2013.</p>
5.1.1	Apply for United States Department of Urban Development Community Development Block Grant funds and allocate a portion of such funds to sub-recipients who provide shelter and other services for the homeless.	<p>Ongoing</p> <p>Through the approved Action Plans for Fiscal year 2012-2013, the City allocated funding to the following organizations to preserve the supply of emergency and transitional housing: Human Options, Families Forward, Serving People In Need (SPIN), Share Our Selves (SOS) and Fair Housing Foundation.</p> <p>The following organization has been funded to assist homeless battered women and children: Human Options.</p>
5.1.2	Cooperate with the Orange County Housing Authority to pursue establishment of a Senior/Disabled or Limited Income Repair Loan and Grant Program to underwrite all or part of the cost of necessary housing modifications and repairs. Cooperation with the Orange County Housing Authority will include continuing City of Newport Beach participation in the Orange County Continuum of Care and continuing to provide CDBG funding.	<p>Ongoing</p> <p>The City refers low income residents to Orange County for rehabilitation of mobile homes, to Neighborhood Housing for first time buyer programs, and to Rebuilding Together for handyman service for low income and senior households.</p>

PROGRAM		STATUS
5.1.3	Permit, where appropriate, development of "granny" units in single-family areas of the City.	Ongoing There were no permits were issued in 2012.
5.1.4	Work with the City of Santa Ana to provide recommendations for the allocation of HUD Housing Opportunities for Persons with AIDS (HOPWA) funds within Orange County.	Ongoing The City attended the annual HOPWA Strategy meeting and participated in providing recommendations for the allocations of HOPWA funds.
5.1.5	Maintain a list of "Public and Private Resources Available for Housing and Community Development Activities."	Ongoing City maintains a list of resources that are available for housing and community development activities. A list of resources and links are provided on the City's website.
5.1.6	Encourage the development of day care centers and community parks as a component of new affordable housing constructed as part of the requirements of the City's Inclusionary Housing Ordinance.	Ongoing Implemented continuously as housing projects are submitted to the City. The Uptown Newport Project, anticipated to be approved in March 2013 (see program 3.2.3) provides public parks and paseos, and private recreation areas.

PROGRAM		STATUS
5.1.7	Amend the Zoning Code to include a definition of Single Room Occupancy (SRO) Residential Hotels and add provisions that would permit SROs within the commercial and office zoning districts with the approval of a use permit. No standard set of conditions or use restrictions on SROs shall be established; instead, each application should be evaluated individually and approved based upon its own merits and circumstances.	<p>Complete</p> <p>City Council adoption of Ordinance No. 2013-4 amending the Zoning Code and implementing this program is anticipated February 2013.</p>
6.1.1	Contract with an appropriate fair housing service agency for the provision of fair housing services for Newport Beach residents. The City will also work with the fair housing service agency to assist with the periodic update of the Analysis of Impediments to Fair Housing document required by HUD. The City will continue to provide pamphlets containing information related to fair housing at the Planning Division counter.	<p>Ongoing</p> <p>The City contracted with the Fair Housing Foundation to provide these services for 2012-2013. The Fair Housing Foundation provided the following training seminars in 2012 at the City library or City Hall:</p> <ul style="list-style-type: none"> • Two Fair Housing 101 Presentations • Three Tenant Rights Workshops • One Landlord Rights Workshop <p>Pamphlets containing information on Fair Housing and Dispute Resolution Services are available at the public counter.</p>
7.1.1	As part of its annual General Plan Review, the City shall report on the status of all housing programs. The portion of the Annual Report discussing Housing Programs is to be distributed to the California Department of Housing and Community Development in accordance with California State Law.	<p>Ongoing</p> <p>This annual Housing Element Report will be submitted to HCD.</p>